

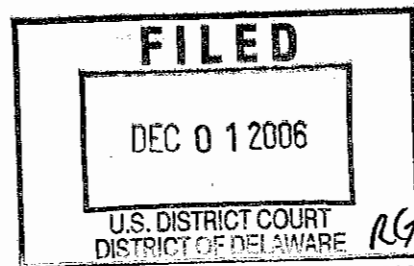
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS,

VS

CA. NO. 04-1350 (GMS)

DR. SYLVIA FOSTER, ET AL.



AMENDED MOTION FOR
APPOINTMENT OF COUNSEL

COMES NOW, THE PLAINTIFF JIMMIE LEWIS, PRO-SE
AND SUBMITS THIS AMENDED MOTION TO THIS HONORABLE
COURT FOR APPOINTMENT OF COUNSEL, AND IN SUPPORT
THEREOF ASSERTS THE FOLLOWING:

DATE: 11/29/06

Jimmie Lewis
SB1# 506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DE 19977

BRIEF STATEMENT OF FACTS

THE COMPLAINT ALLEGES THAT THE PLAINTIFF JIMMIE LEWIS WAS SUBJECTED TO NUMEROUS U.S.C.A RIGHT VIOLATIONS BY SYLVIA FOSTER, BRIAN JOHNSON, DAVE MOFFETT, LANCE SAGERS, AND ROBERT GRAY DURING HIS STAY AT THE (D.P.C), I.E, THE PLAINTIFF CLAIMS THE DEFENDANTS UTILIZED EXCESSIVE FORCE, VIOLATED HIM BY COMMITTING ASSAULT AND BATTERY APOON HIM PHYSICALY, INJECTED PSYCHOTROPIC DRUGS INTO HIS BODY AGAINST HIS WILL ON NUMEROUS OCCASSIONS, RESTRAINED HIM AND INTECTED PSYCHOTROPIC DRUGS INTO HIS BODY AGAINST HIS WILL ON NUMEROUS OCCASSIONS, FOR WHICH WERE NOT FOR PSYCHIATRIC REASONS AND NOT FOR MEDICAL TREATMENT OF MOOD DISORDER, DUE TO DR. SYLVIA FOSTERS JUNE 10, 04 PSYCHIATRIC REPORT FOR WHICH NOTED THAT THE ~~WAS~~ PLAINTIFF REVEALED NO EVIDENCE OF PSYCHOSIS AND NO EVIDENCE OF MOOD DISORDER DURING HIS STAY AT THE D.P.C, ALONG WITH NOTING THAT THE PLAINTIFF'S PRINCIPAL DIAGNOSIS WAS AND OR IS MALINGERING.

" ARGUMENT "

IN DECIDING WHETHER TO APPOINT COUNSEL FOR AN INDIGENT LITIGANT, THE COURT SHOULD CONSIDER THE FACTUAL COMPLEXITY OF THE CASE, THE ABILITY OF THE INDIGENT TO INVESTIGATE THE FACTS, THE EXISTANCE OF CONFLICTING TESTIMONY, IN ADDITION COURTS HAVE SUGGESTED THAT THE MOST IMPORTANT FACTOR IS WHETHER THE CASE APPEARS TO HAVE MERIT. EACH OF THESE FACTORS WEIGHS IN FAVOR OF APPOINTING PRO BONO COUNSEL IN THIS CASE, BUT THE MOST ESSENTIAL FACTORS PERTAINING TO THE PLAINTIFF IS THAT HIS INDIGENT STATUS AND HIS NOT BEING LEARNED IN THE FIELD OF FEDERAL LAW CAN AND OR WILL PREVENT HIM FROM BEING ABLE TO BRING FORTH THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH, IN THE SEARCH FOR TRUTH IN THIS MATTER FOR WHICH IS VITALLY ESSENTIAL.

- 1.) THE PLAINTIFF IS AN INDIGENT PRISONER WHO THIS HONORABLE COURT HAS ALLOWED TO FILE COMPLAINT 04-1350 (GMS) IN LIEU OF INFORMA PAUPERIS.
- 2.) THE PLAINTIFF WAS RECEIVING FINANCIAL SUPPORT FROM HIS PARENTS, BUT THEY ARE ON FIXED INCOMES DUE TO THEIR BEING RETIRED CITIZENS. RECENTLY, BOTH HAVE ENCOUNTERED SERIOUS MEDICAL DILEMMAS ACCOMPANIED BY ASTRONOMICALLY EXPENSIVE MEDICAL BILLS FOR MEDICAL CARE AND MEDICATIONS, FOR WHICH IS THE DIRECT REASON FOR THE PLAINTIFF NOT BEING ABLE TO PURCHASE THE PROPER TYPE OF LEGAL SUPPLIES AND OR THE PROPER AMOUNT OF LEGAL SUPPLIES.
- 3.) AS AN INDIGENT PRISONER I AM PERMITTED TO OBTAIN \$3.74 WORTH OF LEGAL SUPPLIES EACH MONTH, I.E., ~~12~~(4) 12 X 9.5 MANILLA ENVELOPES, (4) 46 ENVELOPES, 2. PENS, 1 WRITING PAD, (4) \$39 STAMPS, BUT FOR THE LAST PAST (4) MONTHS THE PLAINTIFF HAS BEEN FORCED TO TRADE A PORTION OF THE 12 X 9.5 MANILLA ENVELOPES FOR 12 X 15.5 MANILLA ENVELOPES DUE TO HIS BEING MORE THAN \$320.00 IN DEBT FOR POSTAL FEES.
(SEE THE ATTACHED ACCOUNT STATEMENTS.)
- 4.) THE PLAINTIFF IS AN INDIGENT PRISONER WHO'S LITIGATION OF HIS CRIMINAL COURT FELONY APPEAL IN THE SUPREME COURT WAS UNDERMINED BY BRIAN ENGRAM THE DCC LAW LIBRARIAN WHOM REFUSED TO PROVIDE ~~WITH~~ LEGAL MAILING SUPPLIES I NOTIFIED HIM I NEEDED TO MAKE MY 9/29/06 POSTCONVICTION APPEAL DEADLINE AND OR A NOTATION EXPLAINING THE DILEMMA, FOR WHICH AS OF TO DATE THUSFAR HAS RESULTED IN THE SUPREME COURT CLERK SENDING ME NOTICE TO SHOW CAUSE—

(CONT # 4)

WHY MY POSTCONVICTION APPEAL, THE APPEAL THE PLAINTIFF WAS FORCED TO WAIT 2 1/2 YEARS TO SUBMIT SHOULDN'T BE DISMISSED IN ACCORDANCE TO SUPREME COURT RULE 6, DUE TO SAID APPEAL ARRIVING AT THE SUPREME COURT ON 10/02/06, DUE TO NOT BEING ABLE TO SEND THE POSTCONVICTION APPEAL AND ATTACHED EXHIBITS ~~IN~~ UNIT A FELLOW INMATE PRISONER LOANED THE PLAINTIFF A 12X15.5 MANILLA ENVELOPE.

(SEE THE ATTACHED NOTICE TO SHOW CAUSE EXHIBITS)

5.) THE PLAINTIFF HAS CONTACTED THE D.C.C WARDEN THOMAS L. CARROL, DEPUTY WARDENS MR. PIERCE AND BETTY BURRIS REQUESTING THAT THEY EITHER CONTACT MR. ANDREWS THE COMMISSARY OFFICER FOR HIM TO MAKE AVAILABLE ADDITION LEGAL SUPPLIES, THAT THEY CONTACT THE LAW LIBRARIAN FOR HIM TO MAKE AVAILABLE ADDITION LEGAL SUPPLIES AND OR FOR THEM TO WAIVE THE \$320.00 POSTAL FEE, IN ORDER TO ALLOW THE PLAINTIFF TO BE ABLE TO PURCHASE THE PROPER TYPE AND AMOUNT OF LEGAL SUPPLIES, BUT TO NO AVAIL.

6.) DUE TO THE PLAINTIFF NOT BEING LEARNED IN THE FIELD OF FEDERAL LAW, ISSUES REGARDING THE PLAINTIFFS PLEADINGS HAVE RESULTED IN AMENDMENTS, FOR WHICH HAVE OCCUPIED VALUABLE TIME IN WAYS THAT HAVE HINDERED THE ADVANCEMENT OF THE COURTS CALINDER. CIRCUMSTANCES THAT CAUSE A HINDERENCE OF PROCEDURES SHOULD BE AVOIDED.

- 7.) DEFENDANTS, JOHNSON, MOFFETT, SAGERS AND GRAY HAVE MOTIONED TO DEPOSE THE PLAINTIFF, AND SAID MOTION WAS GRANTED BY THIS HONORABLE COURT. SAID DEPOSITION IS SCHEDULED FOR DEC 18, 2006. IN REGARDS TO SAID MOTION TO DEPOSE, THE PLAINTIFF HEREBY REQUEST FOR THE APPOINTMENT OF PRO-BONO COUNSEL, IN ORDER TO PREVENT THE DEFENDANTS FROM SEEKING TO DEPOSE THE PLAINTIFF REGARDING ISSUES THAT ARE IRRELEVANT AND OR OBJECTIONABLE ISSUES THAT MAY RESULT IN A HINDERENCE OF PROCEDURES.
- 8.) THIS HONORABLE COURT SHOULD ALSO TAKE INTO CONSIDERATION THE VALIDITY OF THE MERITS, AS STATED IN THE CLAIMS NOTED IN THE PLAINTIFFS COMPLAINT, ~~DISCOVERY EVIDENCE~~ SHOULD BE TAKEN INTO CONSIDERATION, THE ARTFULNESS OF THE DEFENDANTS MOTIONS, I.E MOTIONS FOR PROTECTIVE ORDER - MOTION TO DISMISS - MOTION TO DISMISS FOR LACK OF JURISDICTION, THE INSUFFICIENT AND EVASIVE ANSWERS SUBMITTED BY THE DEFENDANTS, AS WELL AS THE FACT THAT THERE IS NO DOUBT THAT THERE ARE NUMEROUS GENUINE TRIABLE DISPUTES OF MATERIAL FACTS FOR TRIAL. A MATERIAL FACT IS GENUINE "IF THE EVIDENCE IS SUCH THAT A REASONABLE JURY COULD RETURN A VERDICT FOR THE NONMOVING PARTY."
- 9.) IN RETROSPECT, I HAVE CONTACTED NUMEROUS ATTORNEYS SEEKING THEIR LEGAL COUNSEL, BUT TO NO AVAIL. (SEE ATTACHED NOTATIONS AND RESPONSES.)
- 10.) THE FOREGOING REASONS SUPPORT THE PLAINTIFFS REQUEST FOR THIS HONORABLE COURT TO GRANT THE PLAINTIFFS REQUEST FOR THE APPOINTMENT OF PRO-BONO COUNSEL.

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED PLAINTIFF JIMMIE LEWIS PRO-SE
DUE HEREBY CERTIFY ON THIS 29TH, DAY OF NOV,
2006, THAT I DID MAIL ONE TRUE AND CORRECT COPY OF
THE PLAINTIFF'S AMEND MOTION FOR APPOINTMENT OF
COUNSEL, TO THE FOLLOWING BY U.S. POSTAL :

CLERK OF THE COURT (GMS)
UNITED STATES DISTRICT COURT
J. CALEB BOGGS FEDERAL BUILDING
844 . N . KING ST, LOCKBOX 18
WILMINGTON, DELAWARE 19801

CYNTHIA G. BEAM ESQ
1001 JEFFERSON PLAZA, SUITE 202
WILMINGTON, DELAWARE 19801

GREGORY E. SMITH
DEPUTY ATTORNEY GENERAL
820 N. FRENCH ST, 7TH FL.
WILMINGTON, DELAWARE 19801

DATE: 11/29/06

Jimmie Lewis
SBI # 506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DE 19977

#7

SUPREME COURT OF DELAWARE

CATHY L. HOWARD
Clerk

AUDREY F. BACINO
Assistant Clerk

DEBORAH L. WEBB
Chief Deputy Clerk

LISA A. SEMANS
Senior Court Clerk

DEBRA J. ZATLOKOVICZ
Senior Court Clerk

SUPREME COURT BUILDING
55 THE GREEN
DOVER, DE 19901

P.O. BOX 476
DOVER, DE 19903

October 27, 2006

(302) 739-4155
(302) 739-4156
(302) 739-8091

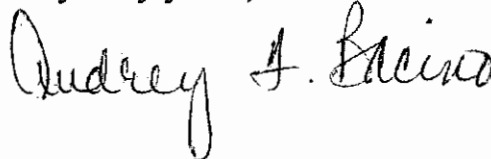
Loren C. Meyers, Esquire
Deputy Attorney General
Chief of Appeals Division
Department of Justice
820 N. French Street
Wilmington, Delaware 19801

RE: *Jimmie Lewis v. State*
No. 536, 2006

Dear Counselor:

Copies of appellant's response and additional response to notice to show cause, which were filed on October 10 and October 18, 2006, have been previously forwarded to you. The Court requests you to reply to appellant's response by **November 6, 2006**.

Very truly yours,



cc: Mr. Jimmie Lewis

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JIMMIE LEWIS,
DEFENDANT BELOW,
APPELLANT,

- VS -

536, 2006.

STATE OF DELAWARE,
PLAINTIFF BELOW,
APPELLEE.

DEFENDANTS RESPONSE TO THE
SUPREME COURT'S NOTICE TO
SHOW CAUSE

COMES NOW, THE DEFENDANT JIMMIE LEWIS, PRO-SE
IN RESPONSE TO THE SUPREME COURTS NOTICE TO
SHOW CAUSE, AND ASSERTS THE FOLLOWING :

- 1.) ON OR ABOUT AUG 30, 2006 I RECEIVED
JUDGE ABLEMAN'S AUG 29, 2006 POSTCONVICTION
DECISION.
- 2.) LATER THAT EVENING ON AUG 30, 06 I WAS
TRANSFERRED TO THE WHOLE, AND SUBSEQUENTLY
EIGHT HOURS LATER I WAS TRANSFERRED TO
THE INFIRMARY.

- 3.) ON OR ABOUT SEPT 14, 06 I WAS TRANSFERRED TO BUILDING 18, SHU C-U-2 TO THE TRANSITION UNIT WITHOUT MY PERSONAL PROPERTY.
- 4.) FROM AUG 30, 2006 TO SEPT 21, 2006 I WAS WITHOUT MY PERSONAL PROPERTY.
- 5.) ON SEPT 21, 2006 MY PERSONAL PROPERTY WAS DELIVERED TO ME AT BUILDING 18, SHU C-U-2 THE TRANSITION UNIT.
- 6.) I SENT NUMEROUS REQUEST BY WAY OF SGT BAMBI THOMAS, SGT WILLIAMS, THE HOUSING SGT'S FOR BUILDING 18 SHU, TO THE LAW LIBRARIAN "BRIAN INGRAM", REQUESTING FOR HIM TO SEND ME MANILA ENVELOPES SO I COULD FORWARD MY NOTICE OF APPEAL AND ATTACHED DOCUMENTS TO HIM TO BE PHOTO COPIED FOR MY PERSONAL RECORD AS WELL AS SO THAT I COULD MAIL THE ORIGINAL NOTICE OF APPEAL ALONG WITH THE ATTACHED DOCUMENTS TO THE SUPREME COURT CLERK TO BE DOCKETED FOR REVIEW BY THE SUPREME COURT JUSTICES, AND A COPY OF THE NOTICE OF APPEAL TO THE STATE'S ATTORNEY/GENERAL AT THE DEPT OF JUSTICE.

- 7.) MY DISCIPLINARY HISTORY, HOUSING HISTORY,
THE PROPERTY OFFICER MS. SUMMER 8 AM TO 4 PM
MON THRU FRI, BUILDING 18 SHU SGT'S, SGT WILLIAM +
SGT BAMBI THOMAS 8 AM TO 4 PM TUE THUR SUN,
+ MR BRIAN ENGRAM SHU LAW LIBRARIAN
8 AM TO 4 PM MON THRU FRI, CAN BE CONTACTED
HERE AT THE D.C.C.

D.C.C DELAWARE CORRECTIONAL CENTER
SMYRNA LANDING ROAD
SMYRNA, DE 19977
PHONE # 302-653-9261

- 8.) THE DEFENDANT HAS BEEN DILIGENTLY SEEKING
TO HAVE THE NUMEROUS GROUNDS TO BE REVIEWED,
FOR WHICH HE HAS HAD TO PATIENTLY WAIT FOR
MORE THAN 2 1/2 YEARS, AND IN THAT 2 1/2 YEARS
THE DEFENDANTS "PRO-SE" PETITIONS AND OR MOTIONS
HAVE BEEN IN ACCORDANCE TO THE COURT'S
RULES OF PROCEDURE.

IN THE INTREST OF JUSTICE THE FOREGOING
REASONS SHOULD BE CONSIDERED IN REGARDS
TO THE DEFENDANTS MERITOUS CLAIMS AS
STATED IN THE PETITION FOR POSTCONVICTION
RELIEF, BEING REVIEWED.

DATE:

SB1 # 506622

DEL. CORR. CENTER

1181 PAODOCK RD

SMYRNA, DE 19977

CERTIFICATE OF SERVICE

I THE UNDERSIGNED, DUE HEREBY CERTIFY ON THIS
_____, DAY OF _____, 2006, THAT I
MAILED (1) TRUE AND CORRECT COPY OF THE DEFENDANTS
RESPONSE TO THE SUPREME COURT'S NOTICE TO SHOW
CAUSE, TO THE FOLLOWING :

CLERK OF THE SUPREME COURT
P.O BOX 476
DOVER, DE 19977

DATE :

SBI #506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DE 19977

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- 1.) DISCIPLINARY REPORT # 1027067, THE SANCTION FOR THE INFRACTION THAT OCCURED ON 8/30/2006.
- 2.) D.C.C INMATE PROPERTY RECEIPTS DATE 8/30/2006
- 3.) A 'D.C.C INDIVIDUAL ACCOUNT STATEMENT PRINTOUT FOR THE MONTH OF AUG 2006 DATED 8/30/2006 VARIFING THAT I WAS IN BUILDING 23 ON THE 30TH OF AUG 2006,
- 4.) A D.C.C INDIVIDUAL ACCOUNT STATEMENT PRINTOUT FOR THE MONTH OF AUG 2006 DATED 9/20/2006 VARIFING THAT I WAS IN BUILDING 18 ON THE 20TH OF SEPT 2006,
- 5.) A D.C.C PROPERTY/ CONFISCATION SHEET DATED 9/21/2006 VARIFING THE DATE THE PROPERTY/ OFFICE MRS. SUMMER VISITED ME AT BUILDING 18 SHU C-U-2.

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JIMMIE LEWIS,)	
)	
Defendant Below,)	
Appellant)	
)	
v.)	No. 536, 2006
)	
STATE OF DELAWARE,)	
)	
Plaintiff Below,)	
Appellee)	


MEMORANDUM IN
SUPPORT OF DISMISSAL

1. The grand jury in June 2003 indicted Jimmie Lewis, charging him with carjacking, theft, and resisting arrest. Super. Ct. Dkt. Item ("DI") 2. In October 2003, a Superior Court jury convicted Lewis of all three charges. DI 19. Lewis was sentenced in February 2005 (DI 75), and the convictions were affirmed on appeal in September 2005. In January 2006, Lewis moved for state post-conviction relief. DI 95. Superior Court denied the motion on August 29, 2006; the order was filed that same day. DI 111. The notice of appeal accordingly had to be filed on or before September 28, 2006. Del. Supr. Ct. R. 6(a)(iii).

2. Lewis' appeal was received by the Clerk on October 2, 2006. That day, the Clerk issued a notice to show cause, directing Lewis to explain why the appeal should not be dismissed as being untimely. In his response, filed October 10, Lewis explains that he received the Superior Court order on August 30, 2006, but because he was in administrative segregation for disciplinary reasons until September 21, 2006, he could not file a timely notice of appeal. In his supplemental response, filed October 18, Lewis states that he mailed the notice of appeal on September 25.

3. Under clearly settled state law, the timely filing of the notice of appeal is a jurisdictional requirement. *E.g., Eller v. State*, 531 A.2d 951, 952 (Del. 1987). Unless Lewis can show that his failure to file a timely notice of appeal is attributable to the actions of judicial personnel, the appeal must be dismissed. *E.g., Bey v. State*, 402 A.2d 362, 363 (Del. 1979). Under prior decisions of this Court, explanations such as that tendered now by Lewis have been held insufficient to excuse the untimely filing of the notice of appeal. *Drummond v. State*, 2006 WL 1519357 (Del. May 31, 2006); *Taylor v. State*, 2000 WL 275636 (Del. Mar. 2, 2000); *Luby v. State*, 1994 WL 416510 (Del. July 15, 1994); *Morrissey v. State*, 1994 WL 91159 (Del. Mar. 3, 1994). Given this line of authority, it is clear that ~~Lewis' explanation thus offers no basis to excuse his untimely filing~~ of the notice of appeal. To the extent that Lewis attributes the untimely filing to the prison mail system, that too is insufficient. *E.g., Cabbage v. Carroll*, 2006 WL 1375079 (Del. May 18, 2006).

4. The rule to show cause should accordingly be made absolute and the appeal should be dismissed.


Loren C. Meyers
Del. Bar ID 2210
Chief of Appeals Division
Department of Justice
820 N. French Street
Wilmington, DE 19801
(302) 577-8500

November 1, 2006

Westlaw.

901 A.2d 119

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901 A.2d 119, 2006 WL 1519357 (Del.Supr.)
(Cite as: 901 A.2d 119)

Drummond v. State Del.Supr., 2006. (The decision of the Court is referenced in the Atlantic Reporter in a "Table of Decisions Without Published Opinions.")

Supreme Court of Delaware.
Devon M. DRUMMOND, Defendant
Below-Appellant,

v.
STATE of Delaware, Plaintiff Below-Appellee.
No. 181,2006.

Submitted: April 21, 2006.

Decided: May 31, 2006.

Background: Following his criminal conviction, movant sought post-conviction relief. The Superior Court, New Castle County, denied motion, and movant appealed.

Holding: The Supreme Court, Holland, J., held that movant's failure timely to file notice of appeal was not attributable to court-related personnel.

Appeal dismissed.

Criminal Law 110 1081(6)

110 Criminal Law

110XXIV Review

110XXIV(F) Proceedings, Generally

110k1081 Notice of Appeal

110k1081(4) Time of Giving

110k1081(6) k. Excuse for Delay;

Extension of Time and Relief from Default. Most Cited Cases

Post-conviction movant's failure timely to file notice of appeal from denial of his motion was not attributable to court-related personnel, as required to permit late filing, where movant alleged that his failure timely to file appeal was result of his having been in solitary confinement, without access to his personal documents, at time of his receipt of order denying his motion. Sup.Ct.Rules, Rule 6.

Court Below-Superior Court of the State of Delaware, in and for New Castle County, Cr. ID 0405006433.

Before STEELE, Chief Justice, HOLLAND, and BERGER, Justices.

ORDER

HOLLAND, Justice.

*1 This 31st day of May 2006, it appears to the Court that:

(1) On April 7, 2006, the Court received Devon Drummond's notice of appeal from a Superior Court order, dated February 28, 2006, which denied his motion for postconviction relief. Pursuant to Supreme Court Rule 6, a timely notice of appeal should have been filed on or before March 30, 2006.

(2) The Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing Drummond to show cause why the appeal should not be dismissed as untimely filed.^{FN1} Drummond filed a response to the notice to show cause on April 18, 2006. He states that, although he received a copy of the Superior Court's order on March 9, he was unable to timely file his notice appeal because he had been sent to solitary confinement for a disciplinary infraction and he did not have access to his personal documents.

FN1. Del.Supr. Ct. R. 6(a)(ii).

(3) The State has filed a reply to Drummond's response. The State contends that Drummond's explanation is insufficient to excuse his untimely filing because his failure to file his notice of appeal in a timely manner is not attributable in any way to court personnel.

(4) Time is a jurisdictional requirement.^{FN2} A notice of appeal must be received by the Office of the Clerk of this Court within the applicable time

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901 A.2d 119, 2006 WL 1519357 (Del.Supr.)
(Cite as: 901 A.2d 119)

period in order to be effective.^{FN3} An appellant's pro se status does not excuse a failure to comply strictly with the jurisdictional requirements of Supreme Court Rule 6.^{FN4} Unless the appellant can demonstrate that the failure to file a timely notice of appeal is attributable to court-related personnel, his appeal cannot be considered.^{FN5}

FN2. *Carr v. State*, 554 A.2d 778, 779 (Del.), cert. denied, 493 U.S. 829, 110 S.Ct. 98, 107 L.Ed.2d 61(1989).

FN3. Del.Supr. Ct. R. 10(a).

FN4. *Carr v. State*, 554 A.2d at 779.

FN5. *Bey v. State*, 402 A.2d 362, 363 (Del.1979).

(5) There is nothing in the record to reflect that Drummond's failure to file a timely notice of appeal in this case is attributable to court-related personnel. Consequently, this case does not fall within the exception to the general rule that mandates the timely filing of a notice of appeal. Thus, the Court concludes that the within appeal must be dismissed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the within appeal is DISMISSED.

Del.Supr.,2006.
Drummond v. State
901 A.2d 119, 2006 WL 1519357 (Del.Supr.)

END OF DOCUMENT

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748 A.2d 408

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748 A.2d 408, 2000 WL 275636 (Del.Sup.)
(Cite as: 748 A.2d 408)

Taylor v. State Del.Sup., 2000. (The decision of the Court is referenced in the Atlantic Reporter in a 'Table of Decisions Without Published Opinions.')

Supreme Court of Delaware.

Jeffery L. TAYLOR, Defendant Below, Appellant,
v.

STATE of Delaware, Plaintiff Below, Appellee.
No. 62, 2000.

Submitted Feb. 28, 2000.
Decided March 2, 2000.

Court Below: Superior Court of the State of Delaware, in and for Sussex County, Cr. A. Nos. S98-12-0131.

Before VEASEY, Chief Justice, WALSH and HOLLAND, Justices.

ORDER

*1 This 2nd day of March 2000, it appears to the Court that:

(1) On February 14, 2000, the Court received the appellant's untimely notice of appeal from the Superior Court's order of October 8, 1999. Pursuant to Supreme Court Rule 6, a timely notice of appeal should have been filed on or before November 8, 1999.^{FN*}

FN* An independent review of the Superior Court docket indicates that defendant's motion for reduction of sentence was denied on December 1, 1999. In defendant's notice of appeal, he did not indicate that he wished to appeal this decision; however, even if he had, that appeal, too, would have been untimely, since an appeal from a December 1, 1999, decision would have been due in the

Supreme Court on or before December 31, 1999.

(2) On February 14, 2000, the Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing the appellant to show cause why the appeal should not be dismissed as untimely filed. The appellant's response to the notice to show cause was filed on February 28, 2000.

(3) In appellant's response to the notice to show cause he states that he had no physical access to the law library due to the fact that he was in isolation confinement, during which time he did not have access to any personal legal papers or anything pertaining to his legal work. Time is a jurisdictional requirement. *Carr v. State*, Del.Sup., 554 A.2d 778, cert. denied, 493 U.S. 829 (1989). A notice of appeal must be received by the Office of the Clerk of the Supreme Court within the applicable time period in order to be effective. Supr. Ct. R. 10(a).

(4) An appellant's *pro se* status does not excuse a failure to comply strictly with the jurisdictional requirements of Supreme Court Rule 6. *Carr v. State*, supra. Unless the appellant can demonstrate that his failure to file a timely notice of appeal is attributable to court-related personnel, his appeal cannot be considered. *Bey v. State*, Del.Sup., 402 A.2d 362, 363 (1979).

(5) There is nothing in the record that reflects that appellant's failure to file a timely notice of appeal in this case is attributable to court-related personnel. Consequently, this case does not fall within the exception to the general rule that mandates the timely filing of a notice of appeal. Thus, the Court concludes that the within appeal must be dismissed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 6 and 29(b), that the within appeal is DISMISSED.

Del.Sup., 2000.

~~Westlaw~~

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648 A.2d 425, 1994 WL 416510 (Del.Supr.)
(Cite as: 648 A.2d 425)

(The decision of the Court is referenced in the Atlantic Reporter in a 'Table of Decisions Without Published Opinions.')

Supreme Court of Delaware.

Michael P. LUBY, Defendant Below, Appellant,
v.

STATE of Delaware, Plaintiff Below, Appellee.
No. 127, 1994.

Submitted: May 23, 1994.

Decided: July 15, 1994.

Court Below: Superior Court of the State of Delaware, in and for Sussex County; Cr.A. No. VS85-07-000501.
Superior Court, Sussex County.

DISMISSED.

Before VEASEY, C.J., and HOLLAND and HARTNETT, JJ.

ORDER

HARTNETT, Justice.

*1 This 15th day of July, 1994, it appears to the Court that:

1. On April 19, 1994, the Court received the appellant's untimely notice of appeal from the Superior Court's resentencing of the defendant on March 18, 1994, after a violation of probation hearing. Pursuant to Supreme Court Rule 6, a timely notice of appeal was due to be filed on or before April 18, 1994.

2. On April 20, 1994, the Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing the appellant to show cause why the appeal should not be dismissed as untimely filed. The appellant filed his response to the notice to show cause on May 23,

1994.

3. The appellant's response appears to advance two arguments why the delay in the filing of his appeal should be excused. First, the appellant argues that the appeal should be considered as timely filed because the appeal papers were placed in the mail on April 14, 1994, four days in advance of the April 18 deadline. Second, the appellant argues that he had limited access to legal materials and therefore was unable to prepare the appeal papers in a timely fashion. In conclusion, the appellant requests the appointment of counsel to represent him on appeal.

4. The appellant's arguments are unpersuasive and contrary to settled Delaware law and the Rules of this Court. "[U]nder Delaware law and procedure, a notice of appeal is considered filed when it is received and filed by the office of the Clerk, not at the moment it is placed in the mail." *Carr v. State*, Del.Supr., 554 A.2d 778, 779 (1989); See Supr.Ct.R. 10(a).

5. The argument that the appellant's alleged limited access to legal materials should justify an enlargement of the jurisdictional appeal period must be rejected as well. The Clerk of this Court generally docket, upon receipt, any paper evidencing a desire to appeal. The only legal material which is arguably vital to the filing of a notice of appeal is the decision from which the appeal is taken. The appellant does not allege that he was denied access to the decision on appeal. Consequently, the record does not support the appellant's contention that he was denied access to the legal resources needed to docket a timely notice of appeal in this Court. *Morrissey v. State*, Del.Supr., No. 24, 1994, Holland, J. (March 3, 1994).

6. The jurisdictional defect created by the untimely filing of a notice of appeal cannot be excused "in the absence of unusual circumstances which are not attributable to the appellant or the appellant's

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648 A.2d 425, 1994 WL 416510 (Del.Supr.)
(Cite as: 648 A.2d 425)

attorney." *Riggs v. Riggs*, Del.Supr., 539 A.2d 163, 164 (1988). Unless the appellant can demonstrate that the failure to file a timely notice of appeal is attributable to court-related personnel, his appeal cannot be considered. The failure to file a timely notice of appeal in this case is not attributable to court-related personnel nor is it the result of unusual circumstances which are not attributable to the appellant.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the within appeal is DISMISSED. The appellant's request for the appointment of counsel is denied as MOOT.

Del.,1994.
Luby v. State
648 A.2d 425, 1994 WL 416510 (Del.Supr.)

END OF DOCUMENT

~~Westlaw~~

640 A.2d 655

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640 A.2d 655, 1994 WL 91159 (Del.Supr.)
(Cite as: 640 A.2d 655)

(The decision of the Court is referenced in the Atlantic Reporter in a 'Table of Decisions Without Published Opinions.')

Supreme Court of Delaware.

Norman E. MORRISEY, Defendant Below,
Appellant,

v.

STATE of Delaware, Plaintiff Below, Appellee.
No. 24,1994.

Submitted: Feb. 18, 1994.

Decided: March 3, 1994.

Court Below-Superior Court of the State of Delaware, in and for New Castle County.
Superior Court, New Castle County

APPEAL DISMISSED.

Before VEASEY, Chief Justice, and WALSH and HOLLAND, Justices.

ORDER

HOLLAND, Justice.

*1 This third day of March, 1994, it appears to the Court that:

1) On January 24, 1994, the court received from the defendant-appellant, Norman E. Morrisey ("Morrisey"), an untimely notice of appeal. Morrisey sought review of the Superior Court's denial of his motion for post-conviction relief dated December 3, 1993. Pursuant to Supreme Court Rule 6, a timely notice of appeal was due to be filed no later than January 3, 1994.

2) On January 25, 1994, the clerk issued a notice which directed Morrisey to show cause why this appeal should not be dismissed as untimely pursuant to Supreme Court Rule 29(b). Morrisey's

response, filed on February 7, 1994, stated that he was in Maximum Security Unit ("MSU") protective custody during the thirty-day appeal period and thus was unable to file a timely notice of appeal.

3) This Court lacks jurisdiction to consider an appeal when the notice of appeal is not filed in a timely manner, unless the appellant can demonstrate that the failure to file a timely notice of appeal was attributable to court-related personnel, *Bey v. State*, Del.Supr., 402 A.2d 362, 363 (1979), or was the result of "unusual circumstances which are not attributable to the appellant or the appellant's attorney." *Riggs v. Riggs*, Del.Supr., 539 A.2d 163, 164 (1988). The failure to file a timely appeal in this case is clearly not attributable to court-related personnel, nor does it appear to be the result of unusual circumstances which are not attributable to Morrisey. See *Abdul-Akbar v. Watson*, 4 F.3d 195, 203 (3d Cir.1993) ("With the availability of basic [legal reference materials], along with some degree of paralegal assistance and a 'paging system' ..., we are persuaded that even a prisoner in a segregated unit such as the MSU would not be denied legal access to the courts.").

Also, although Morrisey generally alleges that he was "not afforded his legal work" while in the MSU, he does not allege that prison officials failed to give him the Superior Court's order. Under these circumstances, the record does not support Morrisey's contention that he was denied access to the legal resources needed to docket a timely notice of appeal in this Court. Thus, this case does not fall within the exceptions to the general rule which mandates the timely filing of a notice of appeal.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 6 and 29(b), that the within appeal is DISMISSED.

Del.,1994.

Morrisey v. State

640 A.2d 655, 1994 WL 91159 (Del.Supr.)

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Westlaw

901 A.2d 119

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901 A.2d 119, 2006 WL 1375079 (Del.Supr.)
(Cite as: 901 A.2d 119)

Cubbage v. Carroll Del.Supr., 2006. (The decision of the Court is referenced in the Atlantic Reporter in a 'Table of Decisions Without Published Opinions.')

Supreme Court of Delaware.

Jarid L. CUBBAGE, Plaintiff Below, Appellant,

v.

Warden Thomas CARROLL and Sgt. Larry Connelly, Defendants Below, Appellees.

No. 153,2006.

Submitted: April 10, 2006.

Decided: May 18, 2006.

Court Below-Superior Court of the State of Delaware, in and for New Castle County in New Castle County. C.A. No. 05A-09-007.

Before STEELE, Chief Justice, HOLLAND and BERGER, Justices.

ORDER

HOLLAND, Justice.

*1 This 18th day of May 2006, upon consideration of the notice of appeal filed by the appellant, the notice to show cause issued by the Clerk, and the appellant's response to the notice, it appears to the Court that:

(1) The appellant, Jarid L. Cubbage, is an inmate at a Delaware correctional facility. On March 24, 2006, the Court received Cubbage's notice of appeal from a Superior Court order dated February 17, 2006 and docketed on February 21, 2006.

(2) On March 24, 2006, the Clerk issued a notice directing that Cubbage show cause why the appeal should not be dismissed for his failure to file the notice of appeal within thirty days of the Superior Court's order.^{FN1} In his response to the notice, Cubbage contends that prison staff is responsible for the delay in filing the notice of appeal.

FN1. Supr. Ct. R. 6(a)(i).

(3) Under Delaware law and procedure, a notice of appeal must be received by the office of the Clerk of this Court within the applicable time period.^{FN2} Unless an appellant can demonstrate that the failure to file a timely notice of appeal is attributable to court-related personnel, the untimely appeal cannot be considered.^{FN3}

FN2. Supr. Ct. R. 6(a), 10(a); *Carr v. State*, 554 A.2d 778, 779 (Del.1989).

FN3. *Bey v. State*, 402 A.2d 362, 363 (Del.1979).

(4) The record does not reflect that Cubbage's failure to file the notice of appeal within thirty days is related to court-related personnel.^{FN4} This case does not fall within the exception to the general rule that mandates the timely filing of a notice of appeal.

FN4. See *Brown v. State*, 2004 WL 1535757 (Del.Supr.) (dismissing untimely appeal after concluding that prison law library personnel are not court-related personnel); *Deputy v. Roy*, 2004 WL 1535479 (Del.Supr.) (citing *Carr v. State*, 554 A.2d 778, 779 (Del.1989) (dismissing untimely appeal after concluding that delay in prison mail system cannot enlarge jurisdictional appeal period).

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the appeal is DISMISSED.

Del.Supr., 2006.
Cubbage v. Carroll
901 A.2d 119, 2006 WL 1375079 (Del.Supr.)

END OF DOCUMENT

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SUPERIOR COURT CRIMINAL DOCKET
(as of 10/31/2006)

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State of Delaware v. JIMMY LEWIS
 State's Atty: BRIAN J ROBERTSON , Esq.
 Defense Atty: JOHN S EDINGER , Esq.

DOB: 12/25/1966

AKA:

Assigned Judge:

Charges:

Count	DUC#	Crim.Action#	Description	Dispo.	Dispo. Date
001	0305016966	IN03060175R1	CARJACKING 2ND	GLTY	10/23/2003
002	0305016966	IN03060176R1	THEFT \$1000 OR>	GLTY	10/23/2003
003	0305016966	IN03060177R1	RESIST ARREST	GLTY	10/23/2003

No.	Event Date	Event	Judge
1	06/03/2003	CASE ACCEPTED IN SUPERIOR COURT. ARREST DATE: 05/26/2003 PRELIMINARY HEARING DATE: 060203 BAIL: SECURED BAIL-HELD NO CONDITION	12,000.00 100%
2	06/30/2003	INDICTMENT, TRUE BILL FILED.NO 6 SCHEDULED FOR CASE REVIEW AND ARRAIGNMENT 07/28/03 AT 9:00	
3	07/03/2003	ACKNOWLEDGEMENT OF RECEIPT OF DISCOVERY RESPONSE. JOHN EDINGER	
4	07/14/2003	SUMMONS MAILED.	
	07/28/2003	CASE REVIEW & ARRAIGNMENT CALENDAR: SET FOR FINAL CASE REVIEW. DATE: 8/18/03 @ 9:00	COOCH RICHARD R.
6	08/12/2003	DEFENDANT'S LETTER FILED.	
	08/18/2003	FINAL CASE REVIEW: NO PLEA/SET FOR TRIAL_10/21/2003.	GEBELEIN RICHARD S.
5	08/18/2003	ORDER SCHEDULING TRIAL FILED. TRIAL DATE: 10/21/03 CASE CATEGORY: 2 ASSIGNED JUDGE (CATEGORY 1 CASES ONLY): UNLESS THE COURT IS ADVISED WITHIN 2 WEEKS OF THE UNAVAILABILITY OF NECESSARY WITNESSES, THE COURT WILL CONSIDER THE MATTER READY FOR TRIAL. ABSENT EXCEPTIONAL CIRCUMSTANCES, RESCHEDULING OR CONTINUANCE REQUESTS WILL BE DENIED.	
8	08/29/2003		

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State of Delaware v. JIMMY LEWIS
 State's Atty: BRIAN J ROBERTSON , Esq.
 Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966

No.	Event Date	Event	Judge
		DEFENDANT'S LETTER FILED.	
12	09/30/2003	DEFENDANT'S LETTER FILED.	
7	10/06/2003	SUBPOENA(S) MAILED.	
9	10/07/2003	DEFENDANT'S LETTER FILED.	
13	10/07/2003	STATE'S WITNESS SUBPOENA ISSUED.	
22	10/10/2003	DEFENDANT'S LETTER FILED.	
15	10/14/2003	MOTION FOR DISCOVERY AND MOTION TO SUPPRESS FILED PROSE. REFERELL MEMO (RULE 47) SENT TO P.D. OFFICE TO MR. EDINGER.	
16	10/14/2003	DEFENDANT'S LETTER FILED. TO: J. EDINGER LETTER REFERRED TO COUNSEL	
10	10/15/2003	DEFENDANT'S LETTER FILED.	
11	10/15/2003	DEFENDANT'S LETTER FILED.	
14	10/17/2003	REFERRAL TO COUNSEL MEMORANDUM FILED. ATTACHING LETTER/DOCUMENT FROM DEFENDANT. REFERRED TO DEFENSE COUNSEL AS ATTORNEY OF RECORD. COPY OF DEFENDANT'S LETTER NOT REVIEWED BY THE COURT AND NOT RETAINED WITH THE COURT'S FILE. PLEASE ADVISE YOUR CLIENT THAT FURTHER COMMUNICATIONS REGARDING THIS CASE SHOULD BE DIRECTED TO YOU. J. EDINGER REFERRED BY: S. NAPIER	
18	10/20/2003	STATE'S WITNESS SUBPOENA RETURNED	
17	10/21/2003	TRIAL CALENDAR- WENT TO TRIAL JURY	ABLEMAN PEGGY L.
19	10/21/2003	JURY TRIAL HELD 10/21/03, 10/22/03, AND 10/23/03. JURY SWORN IN 10/21/03 AT 3:10 P.M. 10/22/03 DEFENSE MOTION FOR ACQUITTAL ON ALL 3 COUNTS. MOTION DENIED ON ALL 3 COUNTS. JURY FOUND DEFENDANT GUILTY OF CARJACKING 2ND (0175), THEFT (0176) AND RESISTING ARREST (0177). PSI ORDERED. SENTENCING SCHEDULED FOR 12/5/03 AT 9:30 A.M.	ABLEMAN PEGGY L.

SUPERIOR COURT CRIMINAL DOCKET
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State of Delaware v. JIMMY LEWIS
 State's Atty: BRIAN J ROBERTSON , Esq.
 Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966

No.	Event Date	Event	Judge
		1 COURT EXHIBIT. GAVE TO EDGAR JOHNSON TO PUT IN VAULT. AG/ROBERTSON - PD/EDINGER - CR/FELDMAN, DONNELLY & MAURER - CC/CARUSO. JUDGE HERLIHY TOOK THE VERDICT FOR JUDGE ABLEMAN	
24	10/21/2003	LETTER FROM: MARGOT R. MILLAR, OFFICE OF DISCIPLINARY COUNSEL TO: DEFENDANT. RE: DISCIPLINARY COMPLAINT AGAINST DEFTS. COURT APPOINTED ATTY. *SEE FULL LETTER IN FILE*	
20	10/23/2003	CHARGE TO THE JURY FILED.	ABLEMAN PEGGY L.
21	10/23/2003	VOIR DIRE QUESTIONS FILED. STATE'S PROPOSED VOIR DIRE.	
23	11/04/2003	LETTER FROM SUPREME COURT TO JIMMY LEWIS RE: THE SUPREME COURT IS IN RECEIPT OF YOUR LETTER DATED OCTOBER 24, 2003. THE SUPREME COURT IS AN APPELLATE COURT WHICH RECEIVES APPEALS AND RELATED DOCUMENTS FILED PURSUANT TO SUPREME COURT RULES. ACCORDING TO THE SUPREME COURT RECORDS, YOU DO NOT HAVE AN APPEAL PENDING AT THIS TIME. BY COPY OF THIS LETTER I AM PROVIDING COPIES OF YOUR LETTER TO YOUR ATTORNEY, AND THE DEPUTY ATTORNEY GENERAL, THE PROTHONOTARY.	
25	11/14/2003	MOTION FOR PSYCHOLOGICAL/PSYCHIATRIC EXAM FILED. BY JOHN S EDINGER JR, ESQ REFERRED TO JUDGE TOLIVER-OFFICE JUDGE SENT UP (11/24/03)	
26	12/01/2003	ORDER: ORDERED THAT JIMMY LEWIS THE DEFENDANT, BE TRANSFERRED TO THE DELAWARE STATE HOSPITAL FOR PSYHIATRIC EVALUATION FOR THE PURPOSE OF DETERMINING COMPETENCY, AND TO OBTAIN TREATMENT FOR HIS OWN WELL-BEING AS SOON AS DELAWARE STATE HOSPITAL NOTIFIES GANDER HILL OF AN AVAILABLE OPENING, JIMMY LEWIS IS TO BE TRANSPORTED AND EVALUATED.	TOLIVER CHARLES H. IV
27	12/03/2003	MOTION FOR TRANSCRIPT FILED PROSE. REFERRED TO JUDGE ABLEMAN. * NOTE FROM CHAMBERS-JUDGE REVIEWED BOTH LETTERS 12/22/03 NO ACTION NEEDED. AMH	
28	12/16/2003	DEFENDANT'S LETTER FILED.	
29	01/13/2004	DEFENDANT'S LETTER FILED.	
30	03/01/2004	LETTER FROM: JOHN S. EDINGER, ESQ.	TO: JUDGE ABLEMAN

SUPERIOR COURT CRIMINAL DOCKET
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State of Delaware v. JIMMY LEWIS

DOB: 12/25/1966

State's Atty: BRIAN J ROBERTSON , Esq. AKA:

Defense Atty: JOHN S EDINGER , Esq.

No.	Event Date	Event	Judge
		RE: ON 12/01/03, THE COURT ORDERED THAT THE DEFENDANT BE TRANSFERRED TO THE DELAWARE STATE HOSPITAL FOR PSYCHIATRIC EVALUATION. TO DATE, HE HAS NOT BEEN TRANSPORTED FOR AN EVALUATION. (LETTER AND FILE REFERRED TO JUDGE ABLEMAN 03/01/04)	
31	03/11/2004	MOTION FOR JUDGMENT OF ACQUITTAL FILED PROSE. REFERRED TO JUDGE ABLEMAN	
32	03/23/2004	LETTER/ORDER ISSUED BY JUDGE: ABLEMAN RE: THE COURT HAS CONSIDERED YOUR PRO SE MOTION FOR JUDGEMENT OF ACQUITTAL. NORMALLY, THE COURT WILL NOT CONSIDER ANY PLEADINGS THAT YOU FILE PRO SE SINCE YOU ARE REPRESENTED BY COUNSEL, JOHN EDINGER. YOU SHOULD CONSULT WITH HIM FOR THE FILING OF ANY MOTIONS OR PLEADINGS IN THIS CASE, YOUR MOTION FOR JUDGEMENT OF ACQUITTAL IS UNTIMELY AND IS THEREFORE HEREBY DENIED. IT IS SO ORDERED JUDGE ABLEMAN.	ABLEMAN PEGGY L.
33	04/19/2004	PETITION FOR A WRIT OF HABEAS CORPUS FILED (PRO SE) REFERRED TO JUDGE CARPENTER. DATE REFERRED: 4/21/04 CIVIL CASE NO: 04M-04-054	
34	04/26/2004	LETTER/ORDER ISSUED BY JUDGE CARPENTER. RE: HABEAS CORPUS PETITION 04M-04-054 IS DENIED. YOUR REQUEST FOR HABEAS CORPUS RELIEF HAS BEEN FORWARDED TO ME FOR A DECISION. A REVIEW OF THE DOCKET IN THIS MATTER CLEARLY INDICATES THAT YOU WERE CONVICTED ON OCTOBER 21, 2003 ON THE CHARGES OF CARJACKING SECOND DEGREE, THEFT, AND RESISTING ARREST AND THE TRIAL WAS PRESIDED OVER BY JUDGE ABLEMAN. IN NOVEMBER, 2003, YOUR COUNSEL, MR. EDINGER, FILED A MOTION FOR A PSYCHIATRIC EXAMINATION WHICH WAS APPROVED BY JUDGE TOLIVER ON DECEMBER 1, 2003. WHILE I APPRECIATE THAT YOU ARE UPSET REGARDING THE DELAY THAT HAS OCCURED WITH REGARD TO THIS EVALUATION, IT DOES NOT PROVIDE YOU WITH A BASIS FOR HABEAS CORPUS RELIEF. SINCE IT IS CLEAR BASED UPON THE ABOVE THAT YOU ARE PRESENTLY BEING HELD CONSISTENT WITH YOUR CONVICTION ON THE ABOVE CHARGES AND YOUR FAILURE TO POST APPROPRIATE BAIL, YOUR REQUEST IS HEREBY DENIED. I WILL FORWARD A COPY OF THIS LETTER TO JUDGE ABLEMAN AND JUDGE TOLIVER SO THAT THEY MAY BE AWARE OF THE DELAY THAT IS OCCURRING. WCC	CARPENTER WILLIAM C. JR.
35	04/26/2004	NOTICE OF SERVICE RE: COPY OF GROUNDS FOR APPEAL	
36	05/07/2004	DEFENDANT'S LETTER FILED.	

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(as of 10/31/2006)

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State of Delaware v. JIMMY LEWIS
 State's Atty: BRIAN J ROBERTSON , Esq.
 Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966

No.	Event Date	Event	Judge
37	05/13/2004	PSYCHOLOGICAL/PSYCHIATRIC REPORT FILED. SUBMITTED BY: DONALD NAPOLIN, MENTAL HEALTH SUPERVISOR AND ORDER REQUESTING DEFENDANT BE TRANSFERED TO MITCHELL BUILDING GRANTED BY JUDGE TOLIVER ON 5-13-04	
38	05/14/2004	DEFENDANT'S LETTER FILED. LETTER REGARDING NAMES AND PLACE EMPLOYMENT OF BAILIFF'S WHO PROVIDED COURT ON 10/21 10/23 FOR A WRIT OF MANDAMUS TO BE FILED. *SEE FULL LETTER IN FILE.	
40	06/16/2004	LETTER FROM DIANNE STACHOWSKI TO JUDGE TOLIVER, REQUESTING DEFT BE TRANSFERED BACK TO DOC.	
39	06/28/2004	PSYCHOLOGICAL/PSYCHIATRIC REPORT FILED. SUBMITTED BY: SYLVIA FOSTER MD COPY SENT TO ATTORNEY AND JUDGE TOLIVER	
41	06/29/2004	LETTER FROM DIANNE STACHOWSKI TO JUDGE TOLIVER REQUESTING DEFENDANT BE TRANSFERRED BACK TO DOC.	
42	07/06/2004	LETTER FROM COMMISSIONER WHITE TO COUNSEL GIVING THEM 10 DAYS TO REQUEST A COMPETENCY HEARING AND INFORMING OF THE SENTENCING DATE OF 8-27-04 AT 9:30 WITH JUDGE TOLIVER.	
43	07/19/2004	MOTION TO DECLARE DEFENDANT AN HABITUAL OFFENDER FILED. BY BRIAN J ROBERTSON, DAG MOTION PUT IN FILE TO BE HEARD AT SENTENCING	
44	07/26/2004	PSYCHOLOGICAL/PSYCHIATRIC REPORT FILED. COPY RECEIVED FROM DEFENDANT LEWIS SEALED BY ORDER OF SUPERIOR COURT	
45	08/02/2004	CONTINUANCE REQUEST FILED BY J EDINGER - GRANTED PER JUDGE ABLEMAN (SENTENCING)	
46	08/09/2004	MOTION TO DISMISS COUNSEL FILED PRO SE. REFERRED TO JUDGE ABLEMAN	
47	08/17/2004	MOTION FOR COMPETENCY HEARING FILED PRO SE. REFERRED TO JUDGE ABLEMAN	
48	08/17/2004	MOTION FOR DISCOVERY FILED PRO SE. REFERRED TO JUDGE ABLEMAN	
49	08/20/2004		ABLEMAN PEGGY L.

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State of Delaware v. JIMMY LEWIS
 State's Atty: BRIAN J ROBERTSON , Esq.
 Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966

No.	Event Date	Event	Judge
		LETTER FROM JUDGE ABLEMAN TO JOHN EDINGER, ESQ. RE: STATE V. JIMMIE LEWIS ENCLOSED PLEASE FIND CORRESPONDENCE RECEIVED BY THE COURT FROM THE ABOVE DEFENDANT WHOM YOU REPRESENT. IT IS REFERRED TO YOU FOR SUCH ACTION AS YOU DEEM APPROPRIATE. SUPERIOR COURT RULE 47 PROVIDES IN PERTINENT PART, "THE COURT WILL NOT CONSIDER PRO SE APPLICATIONS BY DEFENDANTS WHO ARE REPRESENTED BY COUNSEL". PLEASE NOTIFY YOUR CLIENT THAT FURTHER CORRESPONDENCE OR MOTIONS SHOULD BE MAILED DIRECTLY TO YOUR OFFICE FOR APPROPRIATE ACTION. THANK YOU.	
50	08/20/2004	LETTER FROM JUDGE ABLEMAN TO JIMMIE LEWIS RE: STATE V. JIMMIE LEWIS I HAVE YOUR MOTION FOR APPOINTMENT OF NEW COUNSEL. THE MOTION IS DENIED. I HAVE REFERRED YOUR MOTION FOR COMPETENCY HEARING TO MR. EDINGER AS SUPERIOR COURT CRIMINAL RULE 47 DOES NOT PERMIT YOU TO FILE PRO SE APPLICATIONS WHEN YOU ARE REPRESENTED BY COUNSEL.	ABLEMAN PEGGY L.
51	08/31/2004	DEFENDANT'S LETTER FILED. TO: JUDGE ABLEMAN REGARDING PRESENTENCE REPORT.	
52	09/07/2004	MOTION FOR NEW TRIAL FILED PRO SE. REFERRED TO COUNSEL	
	09/08/2004	MOTION FOR NEW TRIAL	
53	09/08/2004	REFERRAL TO COUNSEL MEMORANDUM FILED. ATTACHING LETTER/DOCUMENT FROM DEFENDANT. REFERRED TO DEFENSE COUNSEL AS ATTORNEY OF RECORD. COPY OF DEFENDANT'S LETTER NOT REVIEWED BY THE COURT AND NOT RETAINED WITH THE COURT'S FILE. PLEASE ADVISE YOUR CLIENT THAT FURTHER COMMUNICATIONS REGARDING THIS CASE SHOULD BE DIRECTED TO YOU. J. EDINGER REFERRED BY: S. NAPIER	
54	09/21/2004	MOTION TO DECLARE THE DEFENDANT NOT GUILTY BY REASON OF INSANITY FILED PROSE. REFERRED TO COUNSEL OF RECORD.	
55	09/29/2004	REFERRAL TO COUNSEL MEMORANDUM FILED. ATTACHING LETTER/DOCUMENT FROM DEFENDANT. REFERRED TO DEFENSE COUNSEL AS ATTORNEY OF RECORD. COPY OF DEFENDANT'S LETTER NOT REVIEWED BY THE COURT AND NOT RETAINED WITH THE COURT'S FILE. PLEASE ADVISE YOUR CLIENT THAT FURTHER COMMUNICATIONS REGARDING THIS CASE SHOULD BE	

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(as of 10/31/2006)

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State of Delaware v. JIMMY LEWIS
 State's Atty: BRIAN J ROBERTSON , Esq.
 Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966

No.	Event Date	Event	Judge
		DIRECTED TO YOU. JOHN EDINGER REFERRED BY: S. NAPIER	
56	10/08/2004	DEFENDANT'S REQUEST FILED. REQUEST TO HAVE DOCKET ENTRY #54 CORRECTED. ERROR CORRECTED 10/12/04. NOTICE OF REQUESTED CORRECTION SENT TO DEFENDANT.	
57	10/19/2004	NOTICES OF SERVICE (SEVERAL SEE FILE) REQUEST FOR A FULL AND FAIR EVIDENTIARY HEARING TO DETERMINE MATERIAL FACTS TO ALLEDGED DENIALS OF CONSTITUTIONAL RIGHTS.	
59	10/29/2004	NOTICE OF SERVICE	
58	11/02/2004	NOTICE OF SERVICES	
60	11/03/2004	NOTICE OF SERVICES	
61	11/09/2004	NOTICE OF SERVICES.	
62	11/15/2004	NOTICE OF SERVICE APPLICATION FOR CERTIFICATION TO THE SUPREME COURT OF DELAWARE	
63	11/16/2004	NOTICE OF SERVICE DOCUMENTS THE DEFENDANT WANTS THE COURT TO REVIEW.	
64	11/17/2004	NOTICE OF SERVICE	
66	11/19/2004	NOTICE OF SERVICE DOCKET ENTRIES (RULE 55)	
65	11/29/2004	PETITION FOR A WRIT OF HABEAS CORPUS FILED (PRO SE) REFERRED TO JUDGE ABLEMAN, THEN TO JUDGE TOLIVER. DATE REFERRED: 11/30/04 CIVIL CASE NO: 04M-11-098	
67	12/03/2004	NOTICE OF SERVICE AS OF TO DATE THE DEFENDANT HAS NOT REVIEWED THE PRE-SENTENCE REPORT AS IT IS REQUIRED BY SUPERIOR COURT CRIMINAL RULE 32(C) (3)	
68	12/10/2004	DOCUMENT(S) FILED REGARDING SUPREME COURT APPEAL. RE: NOTICE OF APPEAL FROM INTERLOCUTORY ORDER.	
69	12/21/2004		

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State of Delaware v. JIMMY LEWIS
 State's Atty: BRIAN J ROBERTSON , Esq.
 Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966

No.	Event Date	Event	Judge
		DOCUMENT(S) FILED REGARDING SUPREME COURT APPEAL. DIRECTIONS TO COURT REPORTER OF PROCEEDURES BELOW TO BE TRANSCRIBED PURSUANT TO RULE 9 (E)	
70	12/27/2004	LETTER/ORDER ISSUED BY JUDGE TOLIVER. RE: HABEAS PETITION 04M-11-098. I HAVE NOW HAD THE OPPORTUNITY TO REVIEW YOUR PETITION SEEKING THE ISSUANCE OF A WRIT OF HABEAS CORPUS WHICH WAS FILED WITH THE PROTHONOTARY ON NOVEMBER 29, 2004. IT IS UPON THAT REVIEW THAT I MUST DECLINE THE RELIEF YOU SEEK. MORE SPECIFICALLY, YOUR PETITION SEEMS TO COMPLAIN THAT YOU WERE NOT RETURNED FROM THE DELAWARE PSYCHIATRIC CENTER TO THE CUSTODY OF THE DEPARTMENT OF CORRECTION AS REQUESTED BY MS. STACHOWSKI'S CORRECTPONENCE. ON JUNE 29, THAT DOCUMENT WAS FILED WITH THE PROTHONOTARY. PLEASE REFER TO THE COPY OF THE ENCLOSED DOCKET, ENTRY NUMBER 41.	TOLIVER CHARLES H. IV
		IT APPEARS THAT YOUR PETITION DOES NOT CONTAIN ANY OTHER BASIS FOR RELIEF. ACCORDINGLY, YOUR PETITION MUST BE DENIED, AS IT DOES NOT STATE A CLAIM UPON WHICH SUCH A WRIT MAY BE ISSUED. IT IS SO ORDERED. CHT	
71	01/06/2005	PETITION FOR A WRIT OF HABEAS CORPUS FILED (PRO SE) REFERRED TO JUDGE TOLIVER. DATE REFERRED: 1/10/05 CIVIL CASE NO: 05M-01-033	
74	02/03/2005	NOTICE OF SERVICE FILED PRO SE. THE DEFENDANT HEREBY REQUEST THAT HIS COURT APPOINTED DEFENSE ATTORNEY PROVIDE OR MOTION FOR INFORMATION OR MATERIALS AT SENTENCING.	
	02/11/2005	SENTENCING CALENDAR: DEFENDANT SENTENCED.	ABLEMAN PEGGY L.
75	02/11/2005	SENTENCE ASOP ORDER SIGNED AND FILED 02/25/2005.	ABLEMAN PEGGY L.
72	02/14/2005	MANDATE FILED FROM SUPREME COURT: APPEAL DISMISSED. SUPREME COURT CASE NO: 531, 2004 SUBMITTED: JANUARY 10, 2005 DECIDED: JANUARY 25, 2005 BEFORE STEELE, CHIEF JUSTICE, HOLLAND, AND RIDGELY, JUSTICES.	
73	02/17/2005	MOTION FOR NEW TRIAL FILED PRO SE. REFERRED TO JUDGE ABLEMAN.	
	02/22/2005	MOTION FOR NEW TRIAL	
76	02/25/2005		

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State of Delaware v. JIMMY LEWIS
 State's Atty: BRIAN J ROBERTSON , Esq.
 Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966

No.	Event Date	Event	Judge
		LETTER FROM SUPREME COURT TO KATHLEEN FELDMAN, COURT REPORTER RE: A NOTICE OF APPEAL WAS FILED ON 02/18/05, THE TRANSCRIPT IS DUE TO BE FILED IN THE PROTHONOTARY BY 03/28/05.	
77	02/28/2005	LETTER/ORDER ISSUED BY JUDGE: TOLIVER I HAVE NOW HAD THE OPPORTUNITY TO REVIEW YOUR LATEST POSITION SEEKING THE ISSUANCE OF A WRIT OF HABEAS CORPUS WHICH WAS FILED WITH THE PROTHONOTARY ON JANUARY 9, 2005. IT IS A MERE IMAGE OF THAT WHICH YOU FILED ON NOVEMBER 29, 2004. FOR THAT REASON, I MUST AGAIN DECLINE TO GRANT THE RELIEF YOU SEEK AND FOR THE SAME REASONS STATED IN MY LETTER TO YOU OF DECEMBER 14, 2004. BECAUSE THERE IS NOTHING ELSE FOR ME TO DECIDE, YOUR PETITION AGAIN IN THIS REGARD IS DENIED. IT WILL NOT BE RECONSIDERED. IT IS SO ORDERED JUDGE TOLIVER	TOLIVER CHARLES H. IV
78	02/28/2005	LETTER/ORDER ISSUED BY JUDGE: ABLEMAN DEFENDANT'S MOTION FOR A NEW TRIAL IS DENIED. SEE FILE.	ABLEMAN PEGGY L.
80	03/01/2005	NOTICE OF APPEAL FILED IN SUPREME COURT (COPY)	
79	03/07/2005	TRANSCRIPT FILED. TRIAL TESTIMONY- OCTOBER 22, 2003 BEFORE JUDGE ABLEMAN AND JURY	
81	03/10/2005	NOTICE OF SERVICE FOR A COPY OF TRANSCRIPTS. REFERRED TO THE COURT REPORTER OFFICE. COPY PLACED IN THE FILE.	
82	03/18/2005	TRANSCRIPT FILED. SENTENCING- FEBRUARY 11, 2005	
83	03/21/2005	TRANSCRIPT FILED. TRIAL PROCEEDINGS- OCTOBER 21, 2003 BEFORE JUDGE ABLEMAN	
	03/21/2005	RECORDS SENT TO SUPREME COURT.	
84	03/28/2005	RECEIPT FROM SUPREME COURT ACKNOWLEDGING RECORD.	
85	05/05/2005	MOTION FOR MODIFICATION OF SENTENCE FILED PRO-SE. REFERRED TO PRESENTENCE 05/20/05 FOR JUDGE ABLEMAN.	
86	05/11/2005	MOTION FOR MODIFICATION OF SENTENCE FILED PRO-SE.	

SUPERIOR COURT CRIMINAL DOCKET
(as of 10/31/2006)

Page 10

State of Delaware v. JIMMY LEWIS
State's Atty: BRIAN J ROBERTSON , Esq.
Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966

No.	Event Date	Event	Judge
		REFERRED TO JUDGE ABLEMAN 05/20/05, DEFENDANT SENT IN MOTION 05/05/05 THAT WENT TO PRESENTENCE 05/20/05.	
87	06/01/2005	ORDER MOTION FOR MODIFICATION OF SENTENCE DENIED. THE SENTENCE IS APPROPRIATE FOR ALL THE REASONS STATED AT THE TIME OF SENTENCING.	ABLEMAN PEGGY L.
88	07/05/2005	DOCUMENT(S) FILED REGARDING SUPREME COURT APPEAL.	
89	10/05/2005	LETTER/ORDER ISSUED BY JUDGE: ABLEMAN. YOUR MOTION TO IMPUGN THE AUTHENTICITY OF TRIAL TRANSCRIPT AND SENTENCING TRANSCRIPT. DENIED IT IS SO ORDERED.	ABLEMAN PEGGY L.
90	10/19/2005	MANDATE FILED FROM SUPREME COURT: SUPERIOR COURT JUDGMENT AFFIRMED. SUPREME COURT CASE NO: 64, 2005 SUBMITTED: JULY 25, 2005 DECIDED: SEPTEMBER 29, 2005 BEFORE HOLLAND, BERGER AND JACOBS, JUSTICES.	
91	10/26/2005	DOCUMENT(S) FILED REGARDING SUPREME COURT APPEAL. RE: NOTICE TO SHOW CAUSE WHY THE MATTER SHOULD NOT BE DISMISSED BASED ON THE COURTS LACK OF JURISDICTION TO ENTERTAIN A CRIMINAL INTERLOCUTORY APPEAL.	
92	11/21/2005	MOTION FOR MODIFICATION OF SENTENCE FILED PRO-SE. REFERRED TO PRESENTENCE 12/08/05 FOR JUDGE ABLEMAN.	
93	12/12/2005	ORDER MOTION FOR MODIFICATION OF SENTENCE DENIED. THE MOTION WAS FILED MORE THAN 90 DAYS AFTER IMPOSITION OF THE SENTENCE AND IS, THEREFORE, TIME-BARRED. THE SENTENCE IS APPROPRIATE FOR ALL THE REASONS STATED AT THE TIME OF SENTENCING.	ABLEMAN PEGGY L.
94	01/04/2006	MANDATE FILED FROM SUPREME COURT: APPEAL DISMISSED. SUPREME COURT CASE NO: 515, 2005 SUBMITTED: NOVEMBER 2, 2005 DECIDED: DECEMBER 14, 2005 BEFORE STEELE, CHIEF JUSTICE, BERGER AND JACOBS, JUSTICES THE COURT DOES NOT HAVE JURISDICTION TO REVIEW LEWIS' INTERLOCUTORY APPEAL IN THIS CRIMINAL CASE.	
95	01/06/2006	MOTION FOR POSTCONVICTION RELIEF FILED. PRO SE	

SUPERIOR COURT CRIMINAL DOCKET
(as of 10/31/2006)

Page 11

State of Delaware v. JIMMY LEWIS
 State's Atty: BRIAN J ROBERTSON , Esq.
 Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966

No.	Event Date	Event	Judge
		REFERRED TO JUDGE ABLEMAN	
96	01/12/2006	LETTER FROM A.HAIRSTON, PROTHONOTARY OFFICE TO BRIAN ROBERTSON, DAG RE: NOTICE OF FILING OF PRO SE MOTION FOR POSTCONVICTION RELIEF.	
97	02/09/2006	ORDER:IT IS ORDERED THAT: (1) DEFENDANT'S PRIOR COUNSEL, J. EDINGER, E ESQ, SHALL FILE AN AFFIDAVIT WITH THE PROTHONOTARY RESPONDING TO THE FACTUAL ALLEGATIONS OF THE INEFFECTIVE ASSISTANCE OF COUNSEL CLAIMS PURSUANT TO RULE 61(G) (2) ON OR BEFORE MARCH 8, 2006, SERVING THE AFFIDAVIT ON THE STATE AND ON THE MOVANT. (2) THE DEPT. OF JUSTICE SHALL FILE A LEGAL MEMORANDUM WITH THE PROTHONOTARY IN RESPONSE TO THE MOTION, TAKING INTO ACCOUNT THE FACTUAL ASSERTIONS IN BOTH THE MOTION AND TRIAL COUNSEL'S RESPONSE, PURSUANT TO RULE 61(F) ON OR BEFORE APRIL 10 2006. (3) ANY REPLY BY THE NOVANT TO THE ABOVE AFFIDAVIT OR PRIOR COUNSEL AND TO THE STATE'S RESPONSE SHALL BE FILED WITH THE PROTHONOARY BY MAY 10, 2006.	ABLEMAN PEGGY L.
98	02/10/2006	ORDER: MOTION FOR POSTCONVICTION RELIEF: IT IS ORDERED THAT: (1) DEFENDANT'S PRIOR COUNSEL, JOHN EDINGER, JR, ESQ, SHALL FILE AN AFFIDAVIT WITH THE PROTHONOTARY RESPONDING TO THE FACTUAL ALLEGATIONS OF THE INEFFECTIVE ASSISTANCE OF COUNSEL CLAIMS PURSUANT TO RULE 61(G) (2) ON OR BEFORE MARCH 8, 20006, SERVING THE AFFIDAVIT ON THE STATE AND ON THE MOVANT. (2) THE DEPT. OF JUSTICE SHALL FILE A LEGAL MEMORANDUM WITH THE PROTHONOTARY IN RESPONSE TO THE MOTION, TAKING INTO ACCOUNT THE FACTUAL ASSERTIONS IN BOTH THE MOTION AND TRIAL COUNSEL'S RESPONSE, PURSUANT TO RULE 61(F)ON OR BEFORE APRIL 10, 2006. (3) ANY REPLY BY THE MOVANT TO THE ABOVE AFFIDAVIT OF PRIOR COUNSEL AND TO THE STATE'S RESPONSE SHALL FILED WITH THE PROTHONOTARY BY MAY 10, 2006	ABLEMAN PEGGY L.
99	02/10/2006	DOCUMENT(S) FILED REGARDING SUPREME COURT APPEAL. RE: WRIT OF MANDAMUS	
100	03/10/2006	AFFIDAVIT RESPONDING TO ALLEGATIONS OF INEFFECTIVE COUNSEL FILED BY JOHN EDINGER, ESQ. (SEE FILE FOR ENTIRE AFFIDAVIT)	
102	04/11/2006	STATE'S RESPONSE FILED. RE: RULE 61. FILED BY BRIAN ROBERTSON, DAG REFERRED TO JUDGE ABLEMAN	
101	04/12/2006		

SUPERIOR COURT CRIMINAL DOCKET
(as of 10/31/2006)

Page 12

State of Delaware v. JIMMY LEWIS
State's Atty: BRIAN J ROBERTSON , Esq.
Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966

No.	Event Date	Event	Judge
		NOTICE OF APPEAL FILED IN SUPREME COURT (COPY)	
103	04/21/2006	LETTER FROM JUDGE ABLEMAN TO JOHN EDINGER, ESQ RE: RULE 61 PLEASE FILE WITH THE COURT AN AFFIDAVIT, IN NARRATIVE FORM, RESPONDING TO THE FACTUAL ALLEGATIONS OF INEFFECTIVE ASSISTANCE OF COUNSEL CLAIMS SET FORTH BY THE DEFENDANT AND HIS MOTION FOR POST- CONVICTION RELIEF ON OR BEFORE MAY 18, 2006	ABLEMAN PEGGY L.
104	04/24/2006	PETITION FOR 30 DAY POSTPONMENT REGARDING JUDGE ABLEMAN'S 2/8/06 ORDER FILED. PRO SE REFERRED TO JUDGE ABLEMAN	
105	05/12/2006	MANDATE FILED FROM SUPREME COURT: APPEAL DISMISSED. SUPREME COURT CASE NO: 66, 2006 BEFORE STEELE, CHIEF JUSTICE, JACOBS AND RIDGELY, JUSTICES. THERE IS NO BASIS UPON WHICH TO GRANT LEWIS' MANDAMUS PETITION. THIS COURT WILL NOT ISSUE A WRIT OF MANDAMUS TO COMPEL A TRIAL COURT TO PERFORM A PARTICULAR JUDICIAL FUNCTION, TO DECIDE A MATTER IN A PARTICULAR WAY, OR TO DICTATE THE CONTROL OF ITS DOCKET. MOREOVER, IN VIEW OF THE SUPERIOR COURT ORDER OF FEBRUARY 9, 2006. LEWIS PETITION FOR A WRIT OF MANDAMUS IS MOOT.	
106	05/19/2006	LETTER FROM JIMMIE LEWIS, TO THE COURT. RE: REQUESTING POSTPONEMENT REGARDING THE DEFENDANT'S RULE 61 POSTCONVICTION MOTION. REFERRED TO JUDGE ABLEMAN	
107	05/30/2006	DEFENDANT'S LETTER FILED. REFERRED TO JUDGE ABLEMAN DEFENDANT'S RESPONSE TO THE STATES RESPONSE TO THE STATES RESPONSE TO THE DEFENDANT'S RULE 61 POSTCONVICTION RELIEF	
108	06/05/2006	AFFIDAVIT OF JOHN EDINGER, ESQ FILED. RE: RULE 61 REFERRED TO JUDGE ABLEMAN	
109	06/12/2006	MANDATE FILED: SUPEREME COURT APPEAL DISMISSED. SUPREME COURT CASE NO: 182, 2006 SUBMITTED: APRIL 10, 2006 DECIDED: MAY 18, 2006 BEFORE STEELE, CHIEF JUSTICE, HOLLAND AND BERGER, JUSTICES.	
110	06/27/2006	DEFENDANT'S RESPONSE TO DEFENSE COUNSEL'S RESPONSE TO THE DEFENDANT'S RULE 61 POSTCONVICTION RELIEF MOTION FILED. PRO SE	

SUPERIOR COURT CRIMINAL DOCKET
(as of 10/31/2006)

Page 13

State of Delaware v. JIMMY LEWIS
State's Atty: BRIAN J ROBERTSON , Esq.
Defense Atty: JOHN S EDINGER , Esq.

AKA:

DOB: 12/25/1966


No.	Event Date	Event	Judge
		REFERRED TO JUDGE ABLEMAN	
111	08/29/2006		ABLEMAN PEGGY L.
		OPINION: UPON DEFENDANT'S MOTION FOR POSTCONVICTION RELIEF: DENIED. IT IS SO ORDERED.	
112	09/29/2006		
		DEFENDANT'S RESPONSE TO JUDGE ABLEMAN'S AUG. 29, 2006 POSTCONVICTION DECISION FILED.	
		REFERRED TO JUDGE ABLEMAN.	
113	10/04/2006		
		NOTICE OF APPEAL FILED IN SUPREME COURT (COPY)	

*** END OF DOCKET LISTING AS OF 10/31/2006 ***
PRINTED BY: JAGVLCM

CERTIFICATE OF SERVICE

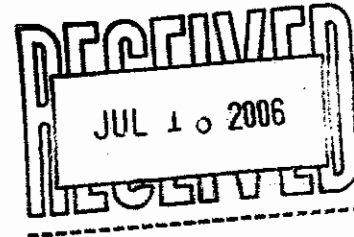
The undersigned, being a member of the Bar of the Supreme Court of Delaware, hereby certifies that on November 1, 2006, he caused two copies of the attached document to be placed in the U.S. Mail, first class postage prepaid, addressed to the following:

Jimmie Lewis
No. 506622
Delaware Correctional Center
1181 Paddock Rd.
Smyrna, DE 19977


Loren C. Meyers
Chief of Appeals Division
Dept. of Justice

TO: JEFFERY K. BARTELS

FROM: JIMMIE LEWIS



YOUR IN POSSESSION OF THIS NOTATION, BECAUSE I AM SEEKING TO RETAIN A CIVIL LAW ATTORNEY TO REPRESENT ME PERTAINING TO CASE REGARDING THE CIVIL COMPLAINT DOCUMENT THAT IVE FORWARDED WITH THIS NOTATION.

CA. NO. 04-1350 (GMS) IS JUST ABOUT READY FOR TRIAL, FOR WHICH MEANS IVE ALREADY DONE MAJORITY OF THE WORK.

CA. NO. 05-013 (GMS) WOULD HAVE BEEN JUST ABOUT READY FOR TRIAL, BUT BEING THE LAYMAN OF CIVIL LAW THAT I AM, I ENCOUNTERED A FEW DILEMMAS. AT PRESENT THE COURT IS AWAITING MY AMENDED COMPLAINT. BUT I FILED FOR 60 DAY POSTPONEMENT 6/26/06.

I SEEK AN EXPEDIENT APPOINTMENT FOR CONSULTATION, IN ORDER TO DETERMINE IF YOU CAN OR WILL REPRESENT ME?

I WOULD APPRECIATE IT VERY MUCH IF YOU WOULD SEND ME A NOTATION OF CONFIRMATION REGARDING THIS MATTER. I NEED TO KNOW AS SOON AS POSSIBLE IF YOU WILL OR WILL NOT SCHEDULE AN APPOINTMENT TO INTERVIEW ME.

P.S I AM THE ONE WHO INFORMED "LOUIS CHANCE JR'S" FAMILY, REGARDING WHAT HAPPENED TO HIM.

DATE: 7/15/06

Jimmie Lewis
SBI # 506622

DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DE 19977

RECEIVED

JUL 14 2006

H&F

TO: DAVID R. BATMAN

YOUR IN POSSESSION OF THIS NOTATION BECAUSE
I AM SEEKING TO RETAIN A CIVIL LAW ATTORNEY TO
REPRESENT ME PERTAINING TO CASES REGARDING THE
CIVIL COMPLAINT DOCUMENTS THAT IVE FORWARDED WITH
THIS NOTATION.

CA. NO 04-1350 (GMS) IS JUST ABOUT READY FOR TRIAL,
FOR WHICH MEANS IVE ALREADY DONE MAJORITY OF THE WORK.

CA. NO. 05-013 (GMS) WOULD HAVE BEEN JUST ABOUT
READY FOR TRIAL ALSO, BUT BEING THE LAYMAN OF CIVIL LAW
THAT I AM, I ENCOUNTERED A FEW DILEMMAS. AT PRESENT
THE COURT IS AWAITING MY AMENDED COMPLAINT, BUT INSTEAD
I JUST FILED FOR 60 DAY POSTPONEMENT ON 6/26/06.

I SEEK AN EXPEDIENT APPOINTMENT FOR FREE CONSULTATION,
IN ORDER TO DETERMINE IF YOU CAN REPRESENT ME.

I WOULD APPRECIATE IT VERY MUCH IF YOU COULD SEND
ME A NOTATION OF CONFIRMATION TO INFORM ME IF YOU
CAN OR CAN NOT SCHEDULE ME FOR AN APPOINTMENT.

DATE: 7/12/06

JIMMIE LEWIS
Jimmie Lewis
SBI # 506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DELAWARE
19977

TO: MARVIN & MARTIN EMMET, LLP

YOUR IN POSSESSION OF THIS NOTATION BECAUSE
I AM SEEKING TO RETAIN A CIVIL LAW ATTORNEY TO
REPRESENT ME PERTAINING TO CASES REGARDING THE
CIVIL COMPLAINT DOCUMENTS THAT IVE FORWARDED WITH
THIS NOTATION.

CA. NO. 04-1350 (GMS) IS JUST ABOUT READY FOR TRIAL,
FOR WHICH MEANS IVE ALREADY DONE MAJORITY OF THE WORK.

CA. NO. 05-013 (GMS) WOULD HAVE BEEN JUST ABOUT
READY FOR TRIAL ALSO, BUT BEING THE LAYMAN OF CIVIL LAW
THAT I AM, I ENCOUNTERED A FEW DILEMMAS. AT PRESENT,
THE COURT IS AWAITING MY AMENDED COMPLAINT, BUT INSTEAD
I JUST FILED FOR 60 DAY POSTPONEMENT ON 6/26/06.

I SEEK AN EXPEDIENT APPOINTMENT FOR FREE CONSULTATION,
IN ORDER TO DETERMINE IF YOU CAN REPRESENT ME.

I WOULD APPRECIATE IT VERY MUCH IF YOU COULD SEND
ME A NOTATION OF CONFIRMATION TO INFORM ME IF YOU
CAN OR CAN NOT SCHEDULE ME FOR AN APPOINTMENT.

DATE: 7/12/06

JIMMIE LEWIS
Jimmie Lewis
SBI #506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DELAWARE
19977

TO: DILWORTH PAXSON

FROM: MR. JIMMIE LEWIS

YOUR IN POSSESSION OF THIS NOTATION, BECAUSE I AM SEEKING TO RETAIN A CIVIL ATTORNEY TO REPRESENT ME PERTAINING TO CASES REGARDING THE CIVIL COMPLAINT DOCUMENTS THAT IVE FORWARDED ALONG WITH THIS NOTATION.

CA. NO. 04-1350 (GMS) IS JUST ABOUT READY FOR TRIAL, FOR WHICH MEANS IVE ALREADY DONE MAJORITY OF THE WORK.

CA NO. 05-013 (GMS) WOULD HAVE BEEN READY FOR TRIAL, BUT BEING THE LAYMAN THAT I AM, I ENCOUNTERED A FEW DILEMMA'S. AT PRESENT THE COURT IS AWAITING MY AMENDED COMPLAINT(S). I JUST FILED FOR A 60 DAY POSTPONEMENT 6/26/06.

~~I SEEK AN EXPEDIENT APPOINTMENT FOR CONSULTATION, IN ORDER TO DETERMINE IF YOU CAN OR WILL REPRESENT ME.~~

I WOULD APPRECIATE IT VERY MUCH IF YOU WOULD SEND ME A NOTATION OF CONFIRMATION REGARDING THIS MATTER. I NEED TO KNOW AS SOON AS POSSIBLE IF YOU WILL OR WILL NOT SCHEDULE AN APPOINTMENT TO INTERVIEW ME.

DATE: 6/28/06

Jimmie Lewis
SBI # 506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMIRNA, DE 19977

Jeffrey K. Bartels

ATTORNEY AT LAW
401 SOUTH MARYLAND AVENUE
WILMINGTON, DELAWARE 19804

TELEPHONE NUMBER
(302) 995-6211

FACSIMILE
(302) 995-6388

July 21, 2006

Jimmie Lewis
SBI 506622
Unit D-U-2, Bldg. 23
Delaware Correctional Center
1811 Paddock Road
Smyrna, DE 19977

Dear Mr. Lewis:

I am in receipt of your letter and package of enclosures received by my office on July 18, 2006. Please be advised I have no expertise whatsoever in cases such as yours. Unfortunately, I do not know of any lawyers who handle those types of claims. I have returned all of your documents to you so that you can forward them to some other attorney if you see fit.

Good luck with this matter.

Very truly yours,


Jeffrey K. Bartels

JKB/lbw
Enclosures

HECKLER & FRABIZZIO

ATTORNEYS AT LAW

THE CORPORATE PLAZA

800 DELAWARE AVENUE

SUITE 200

POST OFFICE BOX 128

WILMINGTON, DELAWARE 19899-0128

AREA CODE 302
573-4800

TELECOPIER
573-4806

GEORGE B. HECKLER, JR.
ANTHONY M. FRABIZZIO
MARIA PARIS NEWILL
RICHARD D. ABRAMS
WILLIAM D. RIMMER*
DANIEL P. BENNETT
JOHN GILBERT*
DAVID R. BATMAN
JOHN W. MORGAN
TIMOTHY H. ROHS
MIRANDA D. CLIFTON
CHERYL A. SYWY
STEPHEN J. MILEWSKI
CASEY W. LESIAK*
ROBERT J. DEARY*

*DELAWARE AND PENNSYLVANIA BAR
*PENNSYLVANIA BAR ONLY

July 18, 2006

Re: Jimmie Lewis v. Dr. Sylvia Foster, et al.;
CA No.: 04-1350 GMS
Jimmie Lewis v. Warden Rafael Williams;
CA No.: 05-013 GMS
CA No.: 05-051 GMS
CA No.: 05-052 GMS

Mr. Jimmie Lewis
SBI #506622
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

Dear Mr. Lewis:

This will acknowledge receipt of your 7/12/06 letter (received by me on 7/14/06) with which you provided information/pleadings in the above-captioned matters.

Unfortunately, I must decline and cannot undertake any legal representation of you in any manner and specifically with respect to the above-captioned matters.

You may wish to consider contacting the Lawyer Referral Service/Legal HelpLink at (302) 478-8850; Delaware Volunteer Legal Services, Inc. at (302) 478-8680; and/or the Community Legal Aid Society, Inc. at (302) 575-0660.

I have enclosed and am returning all of the materials you forwarded to me.

Very truly yours,


David R. Batman

DRB/clb/302614

FERRY, JOSEPH & PEARCE, P.A.

ATTORNEYS AT LAW
824 MARKET STREET
SUITE 904
P. O. BOX 1351

WILMINGTON, DELAWARE 19899

(302) 575-1555

TELEFAX

(302) 575-1714

www.ferryjoseph.com

ARTHUR F. DiSABATINO
(1938-2001)

DAVID J. FERRY, JR.*
MICHAEL B. JOSEPH +
ROBERT K. PEARCE
THEODORE J. TACCONELLI*
EDWARD F. KAFADER
JOHN D. MATTEY
RICK S. MILLER
JASON C. POWELL
LISA L. COGGINS**
STEVEN G. WEILER++
THOMAS R. RIGGS

July 14, 2006

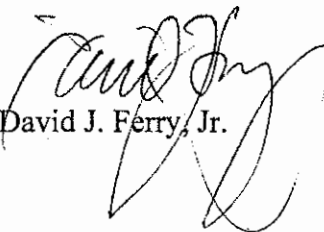
(*ALSO PA BAR)
(+ALSO NJ BAR)
(**ALSO FL, MA AND NY BARS)
(++NJ BAR ONLY)

Jimmie Lewis
SBI #506622
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

Dear Mr. Lewis:

I received and reviewed your correspondence and suit papers. Unfortunately, our firm does not handle this type of litigation and does not have the necessary expertise to provide the representation you need. I am, therefore, returning your papers so that you can hopefully find other counsel. Perhaps you should seek a referral from the Delaware State Bar Association, 301 N. Market Street, Wilmington, DE 19801.

Very truly yours,


David J. Ferry, Jr.

DJFjr/jbd
Enclosure

DILWORTH PAXSON LLP

LAW OFFICES

Martin J. Weis
mweis@dilworthlaw.com

July 15, 2006

Mr. Jimmie Lewis
SBI #506622
Delaware Correction Center
1181 Paddock Road
Smyrna, DE 19977

RE: Lewis v. Warden Williams, et al.

Dear Mr. Lewis:

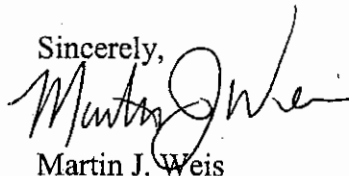
Your June 28, 2006 letter and related materials have been forwarded to my attention. I have reviewed these materials and, based on my review, I have determined that this is not a matter which this firm can appropriately handle on your behalf.

This should not be interpreted to mean that you do or do not have a case. If you wish to pursue this matter with the help of other counsel, you should contact that lawyer immediately so as to not prejudice your rights.

Finally, as I read your papers, I noted that you were having difficulty with the cost of copying in the matter. Consequently, I am returning all of your copies to you at this time.

I wish you the best of luck.

Sincerely,



Martin J. Weis

MJW:amp
Enclosure

YOUNG CONAWAY STARGATT & TAYLOR, LLP

BEN T. CASTLE
SHELDON N. SANDLER
RICHARD A. LEVINE
RICHARD A. ZAPPA
FREDERICK W. IOBST
RICHARD H. MORSE
DAVID C. MCBRIDE
JOSEPH M. NICHOLSON
CRAIG A. KARSNITZ
BARRY M. WILLOUGHBY
JOSY W. INGERSOLL
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RICHARD A. DILIBERTO, JR.
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CASSANDRA F. ROBERTS
RICHARD J.A. POPPER
TERESA A. CHEEK

NEILLI MULLEN WALSH
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MARTIN S. LESSNER
PAULINE K. MORGAN
C. BARR FLINN
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LISA B. GOODMAN
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JAMES P. HUGHES, JR.
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MICHAEL R. NESTOR
MAUREEN D. LUKE
ROLIN P. BISSELL
SCOTT A. HOLT
JOHN T. DORSEY
M. BLAKE CLEARY
CHRISTIAN DOUGLAS WRIGHT
DANIELLE GIBBS
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NORMAN M. POWELL

THE BRANDYWINE BUILDING
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WILMINGTON, DELAWARE 19801

P.O. BOX 391
WILMINGTON, DELAWARE 19899-0391

(302) 571-6600
(800) 253-2234 (DE ONLY)
FAX: (302) 571-1253

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(302) 856-3571
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KARA HAMMOND COYLE
MARGARET M. DIBIANCA
MARY F. DUGAN
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IAN S. FREDERICKS
JAMES J. GALLAGHER
SEAN T. GREECHER
STEPHANIE L. HANSEN
DAWN M. JONES
RICHARD S. JULIE
KAREN E. KELLER
JENNIFER M. KINKUS
EDWARD J. KOSMOWSKI
JOHN C. KUFFEL

SPECIAL COUNSEL
JOHN D. MCCLAUGHLIN, JR.
ELENA C. NORMAN
KAREN L. PASCALE
PATRICIA A. WIDDOSS

KAREN LANTZ
TIMOTHY E. LENGKEEK
ANDREW A. LUNDGREN
MATTHEW B. LUNN
JOSEPH A. MALFITANO
ADRIA B. MARTINELLI
MICHAEL W. McDERMOTT
MARIBETH L. MINELLA
EDMON L. MORTON
D. FON MUTTAMARA-WALKER
JENNIFER R. NOEL
ADAM W. POFF
SETH J. REIDENBERG
KRISTEN R. SALVATORE (PA ONLY)
MICHELE SHERRETTA
MONTE T. SQUIRE
MICHAEL P. STAFFORD
CHAD S.C. STOVER (SC ONLY)
JOHN E. TRACEY
MARGARET B. WHITEMAN
SHARON M. ZIEG

SENIOR COUNSEL
CURTIS J. CROWTHER

OF COUNSEL
BRUCE M. STARGATT
STUART B. YOUNG
EDWARD B. MAXWELL, 2ND

July 10, 2006

VIA FIRST CLASS MAIL

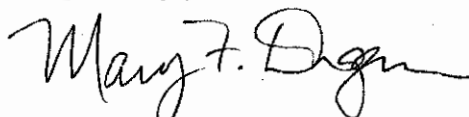
Mr. Jimmie Lewis
SBI#506622
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

Dear Mr. Lewis:

This letter is in response to your inquiry regarding my possible representation of you in a civil action. Unfortunately, I am not able to represent you in this matter. I am therefore returning your letter and all copies of the enclosures you sent to me.

The Delaware State Bar Association Lawyer Referral Service (800-733-0606) may be able to assist you.

Respectfully yours,


Mary F. Dugan

MFD:y
Enclosures

Date Printed: 11/15/2006

Individual Statement

Page 1 of 1

For Month of May 2006

SBI	Last Name	First Name	MI	Suffix	Beg. Mth Balance:	\$2.72
00506622	LEWIS	JIMMY				
Current Location:	23	Comments: QOL1				

Trans Type	Date	Deposit or Withdrawal Amount	Medical Hold	Non-Medical Hold	Balance	Trans #	MO # or Ck #	PayTo	SourceName
Supplies-Mailp	5/2/2006	\$0.00	\$0.00	(\$0.39)	\$2.72	258476		4/23/06	
Supplies-Mailp	5/2/2006	\$0.00	\$0.00	(\$0.39)	\$2.72	258552		4/16/06	
Supplies-Mailp	5/2/2006	\$0.00	\$0.00	(\$0.39)	\$2.72	258555		4/16/06	
Supplies-Mailp	5/12/2006	(\$0.39)	\$0.00	\$0.00	\$2.33	263350		4/16/06	
Supplies-Mailp	5/12/2006	(\$0.39)	\$0.00	\$0.00	\$1.94	263348		4/16/06	
Supplies-Mailp	5/12/2006	(\$0.39)	\$0.00	\$0.00	\$1.55	263453		4/23/06	
Canteen	5/23/2006	(\$1.39)	\$0.00	\$0.00	\$0.16	266549			
Mail	5/26/2006	\$50.00	\$0.00	\$0.00	\$50.16	270111	93079950816		M. LEWIS
Ending Mth Balance:					\$50.16				

Total Amount Currently on Medical Hold: (\$4.00)

Total Amount Currently on Non-Medical Hold: (\$320.72)

Date Printed: 11/15/2006

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For Month of June 2006

SBI	Last Name	First Name	MI	Suffix	Beg Mth Balance:	\$50.16
00506622	LEWIS	JIMMY				
Current Location:	23	Comments:	QOL1			

Trans Type	Date	Deposit or Withdrawal Amount	Medical Hold	Non-Medical Hold	Balance	Trans #	MO # or Ck #	PayTo	SourceName
Supplies-MailP	6/1/2006	\$0.00	\$0.00	(\$0.39)	\$50.16	273657		5/16/06	
Supplies-MailP	6/1/2006	\$0.00	\$0.00	(\$0.63)	\$50.16	273658		5/16/06	
Supplies-MailP	6/1/2006	\$0.00	\$0.00	(\$1.11)	\$50.16	273759		5/24/06	
Supplies-MailP	6/5/2006	(\$0.63)	\$0.00	\$0.00	\$49.53	274940		5/16/06	
Supplies-MailP	6/5/2006	(\$0.39)	\$0.00	\$0.00	\$49.14	274939		5/16/06	
Supplies-MailP	6/5/2006	(\$1.11)	\$0.00	\$0.00	\$48.03	274989		5/24/06	
Canteen	6/6/2006	(\$19.41)	\$0.00	\$0.00	\$28.62	275429			
Legal	6/7/2006	\$0.00	\$0.00	(\$8.00)	\$28.62	276471			
Legal	6/9/2006	(\$8.00)	\$0.00	\$0.00	\$20.62	277559			
Canteen	6/13/2006	(\$20.54)	\$0.00	\$0.00	\$0.08	278659			
Supplies-MailP	6/29/2006	\$0.00	\$0.00	(\$2.55)	\$0.08	285617		6/28/06	
Supplies-MailP	6/29/2006	\$0.00	\$0.00	(\$2.55)	\$0.08	285618		6/28/06	
Supplies-MailP	6/29/2006	\$0.00	\$0.00	(\$2.79)	\$0.08	285619		6/28/06	
Supplies-MailP	6/29/2006	\$0.00	\$0.00	(\$2.55)	\$0.08	285625		6/28/06	
Ending Mth Balance:					\$0.08				

Total Amount Currently on Medical Hold: (\$4.00)

Total Amount Currently on Non-Medical Hold: (\$320.72)

Date Printed: 11/15/2006

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For Month of July 2006

SBI	Last Name	First Name	MI	Suffix	Beg Mth Balance:	\$0.08
00506622	LEWIS	JIMMY				
Current Location:	23	Comments: QOL1				

Trans Type	Date	Deposit or Withdrawal Amount	Medical Hold	Non-Medical Hold	Balance	Trans #	MO # or Ck #	PayTo	SourceName
Supplies-Mailp	7/7/2006	\$0.00	\$0.00	(\$2.31)	\$0.08	289017		6/21/06	
Supplies-Mailp	7/13/2006	\$0.00	\$0.00	(\$3.57)	\$0.08	291451		INDIGENT 7/6/06	
Supplies-Mailp	7/17/2006	\$0.00	\$0.00	(\$4.05)	\$0.08	292170		7/13/06	
Supplies-Mailp	7/17/2006	\$0.00	\$0.00	(\$4.05)	\$0.08	292182		7/13/06	
Supplies-Mailp	7/18/2006	\$0.00	\$0.00	(\$4.05)	\$0.08	292383		7/16/06	
Supplies-Mailp	7/18/2006	\$0.00	\$0.00	(\$3.78)	\$0.08	292445		6/27/06	
Supplies-Mailp	7/19/2006	(\$0.08)	\$0.00	(\$2.47)	\$0.00	294246		6/28/06	
Supplies-Mailp	7/21/2006	\$0.00	\$0.00	(\$1.35)	\$0.00	295455		7/7/06	
Supplies-Mailp	7/21/2006	\$0.00	\$0.00	(\$1.35)	\$0.00	295456		7/7/06	
Supplies-Mailp	7/21/2006	\$0.00	\$0.00	(\$49.57)	\$0.00	295659		7/20/06	
Supplies-Mailp	7/21/2006	\$0.00	\$0.00	(\$4.05)	\$0.00	295749		7/12/06	
Supplies-Mailp	7/21/2006	\$0.00	\$0.00	(\$4.05)	\$0.00	295750		7/12/06	
Supplies-Mailp	7/21/2006	\$0.00	\$0.00	(\$4.05)	\$0.00	295751		7/12/06	
Supplies-Mailp	7/21/2006	\$0.00	\$0.00	(\$4.05)	\$0.00	295753		7/12/06	
Supplies-Mailp	7/21/2006	\$0.00	\$0.00	(\$0.39)	\$0.00	295768		7/12/06	
Supplies-Mailp	7/21/2006	\$0.00	\$0.00	(\$4.05)	\$0.00	295840		7/20/06	
Ending Mth Balance:					\$0.00				

Total Amount Currently on Medical Hold: (\$4.00)

Total Amount Currently on Non-Medical Hold: (\$320.72)

Date Printed: 11/15/2006

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For Month of August 2006

SBI	Last Name	First Name	MI	Suffix	Beg Mth Balance:	\$0.00
00506622	LEWIS	JIMMY				
Current Location:	23	Comments: QOL1				

Trans Type	Date	Deposit or Withdrawal Amount	Medical Hold	Non-Medical Hold	Balance	Trans #	MO # or Ck #	PayTo	SourceName
Supplies-MailP	8/9/2006	\$0.00	\$0.00	(\$3.41)	\$0.00	303841		INDIGENT 8/2/06	
Supplies-MailP	8/9/2006	\$0.00	\$0.00	(\$2.31)	\$0.00	303866		8/7/06	
Supplies-MailP	8/9/2006	\$0.00	\$0.00	(\$2.31)	\$0.00	303867		8/7/06	
Supplies-MailP	8/9/2006	\$0.00	\$0.00	(\$2.31)	\$0.00	303891		8/7/06	
Supplies-MailP	8/16/2006	\$0.00	\$0.00	(\$110.50)	\$0.00	306990		8/11/06	
Supplies-MailP	8/17/2006	\$0.00	\$0.00	(\$1.83)	\$0.00	307933		8/15/06	
Medical	8/25/2006	\$0.00	(\$4.00)	\$0.00	\$0.00	310975		8/23/06	
Ending Mth Balance:					\$0.00				

Total Amount Currently on Medical Hold: (\$4.00)

Total Amount Currently on Non-Medical Hold: (\$320.72)

Date Printed: 11/15/2006

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For Month of September 2006

SBI	Last Name	First Name	MI	Suffix	Beg Mth Balance:	\$0.00
00506622	LEWIS	JIMMY				
Current Location:	23	Comments:	QOL1			

Trans Type	Date	Deposit or Withdrawal Amount	Medical Hold	Non-Medical Hold	Balance	Trans #	MO # or Ck #	PayTo	SourceName
Supplies-MailP	9/6/2006	\$0.00	\$0.00	(\$0.87)	\$0.00	315317		8/24/06	
Supplies-MailP	9/6/2006	\$0.00	\$0.00	(\$1.59)	\$0.00	315320		8/24/06	
Supplies-MailP	9/6/2006	\$0.00	\$0.00	(\$6.40)	\$0.00	315585		8/22/06	
Supplies-MailP	9/6/2006	\$0.00	\$0.00	(\$1.83)	\$0.00	315685		8/28/06	
Supplies-MailP	9/6/2006	\$0.00	\$0.00	(\$0.39)	\$0.00	315691		8/25/06	
Supplies-MailP	9/6/2006	\$0.00	\$0.00	(\$6.40)	\$0.00	315693		8/25/06	
Supplies-MailP	9/6/2006	\$0.00	\$0.00	(\$4.80)	\$0.00	315695		8/25/06	
Ending Mth Balance:					\$0.00				

Total Amount Currently on Medical Hold: (\$4.00)

Total Amount Currently on Non-Medical Hold: (\$320.72)

Date Printed: 11/15/2006

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For Month of October 2006

SBI	Last Name	First Name	MI	Suffix	Beg Mth Balance:	\$0.00
00506622	LEWIS	JIMMY				
Current Location:	23	Comments:	QOL1			

Trans Type	Date	Deposit or		Medical Hold	Non-Medical Hold	Balance	Trans #	MO # or Ck #	PayTo	SourceName
		Amount	Withdrawal							
Supplies-Mailp	10/10/2006	\$0.00		\$0.00	(\$4.20)	\$0.00	329685		9/26/06	
Supplies-Mailp	10/10/2006	\$0.00		\$0.00	(\$0.39)	\$0.00	329792		10/1/06	
Supplies-Mailp	10/10/2006	\$0.00		\$0.00	(\$0.39)	\$0.00	329833		9/26/06	
Supplies-Mailp	10/10/2006	\$0.00		\$0.00	(\$0.39)	\$0.00	329834		9/27/06	
Supplies-Mailp	10/10/2006	\$0.00		\$0.00	(\$0.39)	\$0.00	329835		9/26/06	
Supplies-Mailp	10/10/2006	\$0.00		\$0.00	(\$0.39)	\$0.00	329836		9/26/06	
Supplies-Mailp	10/10/2006	\$0.00		\$0.00	(\$4.20)	\$0.00	329833		9/29/06	
Supplies-Mailp	10/13/2006	\$0.00		\$0.00	(\$3.57)	\$0.00	332023		INDIGENT 10/2/06	
Supplies-Mailp	10/18/2006	\$0.00		\$0.00	(\$1.59)	\$0.00	333851		10/12/06	
Supplies-Mailp	10/18/2006	\$0.00		\$0.00	(\$0.63)	\$0.00	333871		10/12/06	
Supplies-Mailp	10/18/2006	\$0.00		\$0.00	(\$0.39)	\$0.00	333877		10/14/06	
Supplies-Mailp	10/18/2006	\$0.00		\$0.00	(\$0.39)	\$0.00	333880		10/14/06	
Supplies-Mailp	10/18/2006	\$0.00		\$0.00	(\$0.39)	\$0.00	333881		10/14/06	
Supplies-Mailp	10/18/2006	\$0.00		\$0.00	(\$4.20)	\$0.00	333948		10/3/06	
Supplies-Mailp	10/18/2006	\$0.00		\$0.00	(\$4.05)	\$0.00	333971		10/5/06	
Supplies-Mailp	10/19/2006	\$0.00		\$0.00	(\$1.59)	\$0.00	334221		10/10/06	
Supplies-Mailp	10/19/2006	\$0.00		\$0.00	(\$2.07)	\$0.00	334224		10/10/06	
Supplies-Mailp	10/19/2006	\$0.00		\$0.00	(\$2.07)	\$0.00	334227		10/10/06	
Supplies-Mailp	10/19/2006	\$0.00		\$0.00	(\$0.39)	\$0.00	334275		10/6/06	
Supplies-Mailp	10/24/2006	\$0.00		\$0.00	(\$2.31)	\$0.00	337391		10/19/06	
Supplies-Mailp	10/24/2006	\$0.00		\$0.00	(\$2.31)	\$0.00	337393		10/19/06	
Supplies-Mailp	10/24/2006	\$0.00		\$0.00	(\$1.83)	\$0.00	337394		10/17/06	
Supplies-Mailp	10/24/2006	\$0.00		\$0.00	(\$2.79)	\$0.00	337474		10/17/06	
Supplies-Mailp	10/24/2006	\$0.00		\$0.00	(\$4.05)	\$0.00	337476		10/17/06	
Supplies-Mailp	10/24/2006	\$0.00		\$0.00	(\$0.63)	\$0.00	337502		10/12/06	
Supplies-Mailp	10/26/2006	\$0.00		\$0.00	(\$0.63)	\$0.00	338675		10/20/06	
Supplies-Mailp	10/26/2006	\$0.00		\$0.00	(\$0.63)	\$0.00	338676		10/20/06	
Supplies-Mailp	10/26/2006	\$0.00		\$0.00	(\$0.63)	\$0.00	338677		10/20/06	
Supplies-Mailp	10/26/2006	\$0.00		\$0.00	(\$1.35)	\$0.00	338697		10/23/06	

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For Month of October 2006

Supplies-MailP	10/26/2006	\$0.00	\$0.00	(\$1.35)	\$0.00	338699	10/23/06
Supplies-MailP	10/26/2006	\$0.00	\$0.00	(\$1.35)	\$0.00	338700	10/23/06

Ending Mth Balance: \$0.00

Total Amount Currently on Medical Hold: (\$4.00)

Total Amount Currently on Non-Medical Hold: (\$320.72)



IM Timmie Lewis
SBI# 506622 UNIT D-4-2
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